

VANCOUVER COMMUNITY COLLEGE, LANGARA

B. C. STUDIES

THE BRITISH COLUMBIAN

VOL. II

VANCOUVER COMMUNITY COLLEGE

LANGARA CAMPUS

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THE BRITISH COLUMBIAN

VOL. II

This booklet contains supplementary material and explanatory notes to assist you in analyzing the excerpts from the British Columbian in Vol. I.

Compiled by

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USE OF THIS BOOKLET

Newspapers are valuable resources in doing research. They provide us with a sense of immediacy for they reflect what people of an earlier period were reading and writing and we can often obtain details that would otherwise be lost.

There are many limitations to newspaper research. The biases of the newspaper publisher and editor must be taken into account and what we read may reflect the concerns not of all members of the society but of particular segments only. Because of the haste with which newspapers must be published, we can expect some inaccuracies, but if we use them in the same critical way in which we handle any primary document, we can find them to be a rich mine of information.

You will find that some of the information in this booklet will help you to make better use of the newspaper items in Vol. I. Here you will find items from other newspapers, from letters, government reports and information gleaned from secondary sources. The first secondary work you should make use of is your text:

Ormsby, M. A. British Columbia: A History. Macmillan, 1958.

Chapters 6 and 7 will be particularly useful to you, but be sure to make good use of your index as well in order to check out references to various people and events. You will find Ormsby useful, not only to gain some general background to the period, but also to compare her interpretation of events with your own as you struggle through this mass of materials, mostly primary, which reveals many conflicting points of view.

Two other items which should be easily available to you if you have access to a library are biographies of James Douglas and of Colonel Moody.

The Dictionary of National Biography, Oxford University Press, Vol. XIII has a biography of Moody on pages 779-780.

The Dictionary of Canadian Biography, Vol. X has a lengthy biography of James Douglas written by Margaret Ormsby.

"Our Platform," British Columbian, Feb. 13, 1861. Page 1, Vol. I.

On this date, the British Columbian began publication under the editorship of John Robson, replacing the New Westminster Times which had been edited by Leonard McClure since 1859.

Robson was born of Scottish parents in Ontario in 1824. In 1859, at the age of thirty-five, he arrived in New Westminster with his wife and daughter, accompanied by his brother-in-law, Charles G. Major. After a prospecting venture with Major proved unsuccessful, Robson worked as a lumberjack, a carpenter and a road builder before taking a job in the office of the New Westminster Times.

As editor of the British Columbian, Robson voiced the concerns of most of the New Westminster merchants. He became very active in local affairs and in 1868 was elected to the Legislative Council. He moved to Victoria, now the capital of the united colony, but his attempt to publish his paper in that city were not successful and he joined the staff of the Daily British Colonist, as political editor, a position he held until 1875 when he resigned to become the paymaster for the CPR in its western surveys. In 1880 he revived the British Columbian on a daily basis but left newspaper work in 1883 when he became Minister of Finance and Agriculture in the Legislative Assembly. In 1889 he became premier of the province, a position he held until his death in 1892.

Further biographical information can be found in:

Jackman, S. W. (ed.) Portraits of the Premiers. Gray's Publishing, 1969. Pages 76-89.

Shelton, W. G. (ed.) British Columbia and Confederation. University of Victoria Press, 1967. Pages 97-123.

Howay, F. W. & Schofield, E. O. S. British Columbia: From the Earliest Times to the Present. Vol. III. S. J. Clarke, 1914. Pages 996-1002.

line 7 Responsible Government Elected assemblies were introduced in Nova Scotia in 1758, in New Brunswick in 1784 and in Upper and Lower Canada in 1791. These legislative assemblies were representative but the real power--both legislative and executive--lay in the hands of the British Governors and the Executive and Legislative Councils appointed by them. This political structure resulted in the emergence of powerful elites, the Family Compact in Upper Canada, the Chateau Clique in Lower Canada and the Council of Twelve in Nova Scotia but it was not until 1849 that the principle of responsible government was fully recognized in British North America. Lord Elgin's recognition of Baldwin and Lafontaine as heads of a ministry in the Union of the Canadas and his signing of the Rebellion Losses Bill in 1849 made responsible government a reality.

line 17 Mule taxes Governor Douglas attempted to raise money for the road building necessary to provide access to the mining areas of the colony. In January, 1860 a mule tax was proclaimed levying a tax of £ 1 on every pack horse leaving Douglas or Yale for the Cariboo. He was forced to suspend it in March because it proved so unpopular.

"The British Columbia Convention,"
British Columbian, Feb. 13, 1861.

Pages 2, 3, Vol. I.

Elections

The secret ballot was not introduced into the British North American colonies until 1872—after Confederation. This explains why the interesting analysis of the results to be found on pages 2 and 3 could be made.

Cayoosh bottom of page 3 later called Lillooet.

Biographies

Biographical details follow for some candidates.

J. A. R. Homer Obituary from Mainland Guardian, Sept. 22, 1886.

A native of Barrington, Nova Scotia, J. A. R. Homer came to British Columbia in 1858. He erected a sawmill in New Westminster. Went to California for a short time but returned to British Columbia where he engaged in business. He was elected as member of parliament in 1882 and served his constituency faithfully. The funeral service was at Holy Trinity Church.

William J. Armstrong

William Armstrong was born in Peterboro, Ontario on Oct. 31, 1826 of Scottish descent. He accompanied his parents to California in 1851, and stayed there until 1858 when he came to British Columbia, settling at Langley. He moved to New Westminster in 1859 when it was made the capital. He built the first house and general store in New Westminster. A member of the first Municipal Council, he continued on it until 1874.

Armstrong became a member of the provincial cabinet in 1873 under the premiership of Amor De Cosmos. When that government was defeated he continued a member of the opposition for a number of years. In 1883 he was appointed sheriff of New Westminster County and held this position until 1893 when his son succeeded him.

William Armstrong and his wife were members of the Episcopal Church and played an active role in church and Bible Society affairs.

Source:—Howay, F. W. and Schofield, E. O. S. British Columbia: From the Earliest Times to the Present, Vol. III, S. J. Clarke, 1914. Pages 536-540.

"The British Columbia Convention,"
British Columbian, Feb. 13, 1861.

Pages 2, 3, Vol. I.

VICTORIA DAILY COLONIST

Thursday, May 15, 1902.

HENRY HOLBROOK

At one time Chief Commissioner of Lands and Works.

The following sketch of the late Henry Holbrook, whose death was announced on Tuesday is given by the Westminster Columbiar.

The late Henry Holbrook, who was in his 84th year, was born in Liverpool, but came to this country when quite a young man, and long before the country was anything more than a Crown Colony, an outpost of civilization. Landing at Victoria, he resided there for two or three years until the site of the new capital on the Fraser was decided upon and when the big auction sale was held of town lots in the future city of New Westminster, Mr. Holbrook purchased a large lot on Columbia Street and took up his residence there. On this property he built a stone block in which he opened up a wholesale liquor, grocery and dry goods business and which building survived many changes until wiped out in the big fire of September, 1898. He also built the first wharf in this city known as Liverpool wharf, just west of the foot of Mackenzie street, and here sailing ships discharged the cargoes which they had brought round the Horn from the old land. Subsequently this wharf was burned, and Mr. Holbrook built a larger wharf on the site of the present city market. This was the touching point of the steamers running from Victoria to Hope and Yale until the business went into the control of the Canadian Pacific Navigation Company. In 1872 Mr. Holbrook acquired the then deserted barracks, offices, store rooms, etc. of the Royal Engineers at Sapperton and commenced the operation of a salmon cannery, which was subsequently sold to the late Jas. Laidlaw, and operated until destroyed by fire several years later.

Mr. Holbrook was for many years active in the early political life of this part of the country. He was elected to the old Legislative Assembly as representing Douglas and Lilloet and as such sat from 1864 to 1866. He was then returned as the member for New Westminster, and held the seat from 1868 to the end of the Colonial parliaments. For a period immediately after British Columbia joined the Canadian Confederation, he was a member of the McCreight government being Minister of Lands and Works from November 1871 to January 15, 1872 and President of the Council from January 15, 1872 to December 20, 1872, the ministry resigning. He did not offer for re-election but continued to take an active interest in the municipal affairs of New Westminster and for several years was mayor of the city. In 1881 he returned to England taking up his abode at Talbot House, Park Gate, near Chester, where he has since resided. He left the entire management of his affairs to his former business associate Mr. Owens, who also in due course occupied the Mayor's Chair.

Out of respect for the memory of the deceased, the civic and other masts were half-masted today upon receipt of the news.

"The British Columbia Convention."

The following items from The New Westminster Times provide you with further information and some differences in viewpoint on the subject of the British Columbia Convention. Leonard McLure went to Victoria from New Westminster and continued to publish The New Westminster Times from there, but within a very short time the paper ceased publication.

LOCAL INTELLIGENCE.

CONVENTION MEETING.

Pursuant to public notice a meeting was convened at Mr. Cormack's store, on Wednesday evening last by the President of the Municipal Council "for the purpose of taking the necessary steps to form a Convention of the inhabitants of British Columbia."

Mr. Ramage was called to the Chair and Mr. V. Hall was appointed Secretary.

Mr. Scott came forward and made some very sensible remarks, showing the necessity of such a body as a convention, and hoped the inhabitants would be unanimous on the subject.

Mr. Hodgkinson went minutely into the land and mining questions, showing in the former the difficulties that met the newly-arrived immigrant at almost every step in his desire to obtain a piece of land for cultivation—through the partiality or incompetency of Government officials. He also entered at considerable length into the question of the development of the mineral resources of the colony stating that nothing short of a convention of the people of the colony would remedy the present abuses. He would not take up the time of the meeting any further but at once move a resolution which he believed comprised to the fullest extent the object of the convention, namely:—

"That in the opinion of this meeting the present state of the colony is one which causes the utmost anxiety as regards its future welfare. The total absence of all information concerning the Government's future policy, the present unsatisfactory state of the Land question, the absence of those necessary inducements to immigration on the part of the Government which the mineral, agricultural and other numerous resources of the colony should eminently promote, all tend towards one great object—the necessity of representation of the colony. Be it therefore resolved, that in the absence of a Legislature, and to assist His Excellency the Governor in the very arduous duties at present devolving upon his position, a convention of the people of British Columbia be called, with a view to remedying the present abuses in the colony, of instituting such measures for the Governor's consideration as may be deemed most beneficial to the colony's interest, and of taking the most effective steps to obtain representative Government."

Mr. Holbrook had great pleasure in seconding the resolution. He had seen the benefits which had flowed from the Reform League in the pre-emption proclamation and the reduction in the price of land, and he had no doubt far greater results would attend a convention of the entire inhabitants. The drawback on the part of the Reform League was the want of co-operation of the Upper country. He was happy to find that a more healthy feeling of political unity existed now. The people of the colony had petitioned some nine months ago for representative Government, and up till the present no reply had been received; he therefore concluded that a more decisive action must be taken on the matter. It was not to be expected that a petition with a few hundred names attached would have the effect of absorbing the attention of the British Government, when they were aware that a nation possessing some fifty-four colonies and dependencies, one of which contains a population of 200,000,000, must be literally inundated with petitions from all quarters. (Hear, hear) He consequently had little faith in this mode of action, and thought that no further delay should be allowed on

Saturday, January 5, 1861.

the matter. At present there was no land office established in the colony, and immigrants arriving had almost insurmountable difficulties thrown in their way to obtain land. The speaker spoke at considerable length on the land question and immigration, and concluded by commending the resolution to the meeting.

The Rev. Mr. White considered the phraseology of the resolution to a certain extent faulty. He could not agree with that part relating to assisting the Governor in carrying on the Government of the colony. He thought that His Excellency might make the same reply to the Convention as he had made to one of his officials that when he wanted their assistance he would apply for it. He considered it was besides uncourteous and uncalled for, and had a tendency to make it appear that the Convention should assist Governor Douglas, to carry out his measures. He would therefore suggest that the mover of the resolution erase all that part relating to assisting the Governor. (Hear, hear.)

Mr. McClure supported the resolution. He could not certainly see the force of Mr. White's suggestion with regard to the terms mentioned in the resolution. It was the first time he had heard that the definition "to assist" was to act uncourteously or insult. What he would ask, did the gentleman think was the duty of the Convention? Surely not to run obstinately against the Governor, or refuse him that assistance which they would be so likely to afford. The object of the Convention, he thought, should be to obtain all the wants and remedy all the abuses of the colony, in the most legitimate and effective manner. To simply oppose the Governor and refuse co-operating with him was not the way certainly to effect any tangible benefit. Mr. White had also mistaken the tenor of the resolution. It did not state that the convention should assist Governor Douglas in governing the country but assist him in remedying the present abuses and instituting the necessary reforms. The resolution expressed all and no more than was really necessary and he would oppose any such alteration as Mr. White suggested.

The Rev. Mr. Pringle opposed the idea of allowing the members of the convention to fulfill all the duties of a regular representative assembly. The members might do a great deal of injury instead of good. They might make suggestions not in keeping with the feeling of the people. For instance, certain gentlemen might suggest a nominative council, or universal suffrage. He thought the only object of the Convention should be to make every exertion to obtain representative Government. The speaker then brought forward an amendment which he persuaded Mr. Tranfield to propose, and seconded it himself to the following effect:—

"That a Convention be proposed to the inhabitants of British Columbia to press upon His Excellency the Governor, and her Majesty the Queen, the necessity of a Legislative Assembly, stating their reasons for such request."

Mr. McClure wished to make a few remarks with regard to the amendment and some allusions which had fallen from the Rev. gentleman. The amendment itself was one of the most absurd propositions under our present circumstances, ever brought before a public meeting. To think that the inhabitants of the different towns in the interior would spend time, money, and labor, in sending delegates to a Convention for the simple purpose of demanding representative Government was certainly paying a poor compliment to the people of the colony. We had already spent a great deal too much time and labor in getting up a petition on the subject, and now we were called upon by the Rev. gentleman to make a further and greater sacrifice and with no

better prospect of success. Not a moment should be lost in attending to the present wants of the colony, in order that certain reforms might be carried out before spring. With regard to the allusions, which were evidently meant for himself, of 'Nominative Council' and 'Universal Suffrage,' he was much obliged to Mr. Pringle for bringing them forward. He (Mr. M'Clure) would a thousand times rather see a Nominative Council or the present system of Government existing by which the whole onus would rest on the Governor than any attempt at representative Government that would confine representation to a few property holders. (Hear, Hear, and Cheers.) He wished to see, above all other countries' universal suffrage established in British Columbia, so that men and not property would have the right to make laws.

Mr. Armstrong thought the amendment was ridiculous in the extreme. To delay all exertions for the good government of the colony until such time as we could obtain a Legislature, was the most egregious folly he had ever heard of. Agricultural countries were required to be opened up, obnoxious taxes abolished, a light-ship established at the mouth of the Fraser, and numerous other immediate requirements. Now was the proper time to get these questions considered by the inhabitants of the colony. But little trade would be existing in the upper country till March or April; and there would be no difficulty before that time in getting men from the upper country; but let us lilly-dally over the matter until a few months pass away, and the rush of business will preclude any member attending from the towns in the interior. (Hear, hear.) He supported the resolution because he believed it expressed the proper duty of the convention. (Cheers.)

Mr. Ritchie, of Douglas, moved as an amendment to the amendment that the word 'assist' be struck out, and the words 'advise with' be substituted.

Mr. Humphries, of Douglas, seconded the amendment.

Mr. M'Clure had no doubt the friends of the original resolution would support the amendment as it did not change the former's meaning.

Messrs. Jessup, Homer, and Manson spoke at some length on the question.

Rev. Mr. White wished to bring an amendment for striking out the whole clause, but was ruled out of order, when some discussion arose as to the advisability of following out parliamentary practice. The confusion increased until the chairman put the question whether parliamentary precedent should be strictly adhered to, which was carried by a large majority. Mr. White's amendment was consequently thrown out, and Mr. Ritchie's amendment was carried.

[Want of space compels us to abbreviate the remainder of the proceedings.]

Mr. Ross introduced the following resolution:—

'That the Convention consist of representatives from Hope, Yale, Douglas, Cayoosh, Lytton, and any other district or districts in the interior that may choose to send members. Such Convention to consist of British Subjects and to terminate on the 31st Dec. 1861.'

Mr. Armstrong seconded, and spoke at some length on the duty of the delegates.

Rev. Mr. Pringle brought forward an amendment—That the resolution state when and where the Convention shall assemble.

Seconded by Mr. Stewart.

Mr. Kennedy knew that the mover of the amendment being a clergyman would not bring forward such a thing in jest; he therefore had very little confidence in the reverend gentleman's judgment, in proposing such an absurd amendment. How was it possible for the inhabitants of New Westminster to dictate to the other towns when and where the convention would be held.

The original resolution was carried.

Mr. Cormack proposed and Mr. Fulton seconded,

'That the number of members to represent New Westminster and the agricultural country surrounding, consist of five.'

An amendment was made by Mr. Kennedy by adding the following words to the resolution,—'and that each district send members in proportion to its population in the same ratio, provided they think proper;'—which was carried.

Mr. M'Clure proposed and Mr. Crawford seconded,

That the immediate duty of the Delegates be, to take such steps as they may deem necessary to obtain the co-operation of the different towns and districts, mentioned in the previous resolution. Carried.

Mr. Browse moved and Mr. Holbrook seconded that the present meeting proceed by a show of hands to elect the delegates for New Westminster and district.

A resolution was past appointing Monday evening next at six o'clock for the nomination of candidates at Mr. Cormack's store.

Moved in amendment by Mr. Kennedy, seconded by Mr. Holt—that the inhabitants in New Westminster district meet one week from to-day in the present building, at 10 o'clock a. m., to elect delegates to represent them in convention; and that every male subject of age be qualified to vote—the President of the Municipal Council to be Returning Officer. After considerable discussion the amendment was carried.

Mr. Clarkson made a long and pointless harangue, looking like a burlesqued 'Shylock meditating his revenge.'

Moved by Mr. Holbrook, seconded by Mr. M'Clure that the votes be recorded in a poll-book. The polls to be open from 10 a. m. till 4 p. m. Carried.

The Secretary was then requested to communicate with the different districts in British Columbia that would be likely to send delegates advising them of what had taken place at that meeting.

The meeting was one of the most respectable and largely attended assemblages that has ever taken place in New Westminster, although during the discussion of the first resolution there appeared to be a kind of obstinate opposition to the proceedings the overwhelming majority on the first division was conclusive proof of the futility of any attempt to oppose the establishing of a convention. The rest of the resolutions were carried almost unanimously, with the exception of the one for electing delegates that evening. There would have been no opposition to postponing the election; but that there was a feeling that the general public would not have been at all represented at a future meeting. The motion of Mr. Holbrook of having a regular poll however satisfied all parties, and the meeting quietly adjourned.

NEW WESTMINSTER TIMES, Jan. 26, 1861.

To the Editor of the New Westminster Times.

Sir,—The Semiahmoo elected delegates of New Westminster to the Convention which was to have been but which they destroyed, have begun to give us a specimen of that transcendent ability which every one was expecting. They have got a secretary to do what was found impossible for the delegates to perform—write a legible hand. So far they have achieved a decided success. They have met secretly and silently in a room 8 by 10, and practised oratory to two office stools and a broken chair. On each of these occasions they have reiterated an oath—a fearful oath over the bones of a defunct bullock—that as Brutus rid Rome of the tyrant Julius Caesar, so even they—they the foreign ambassadors from Semiahmoo were determined by fierce invective, threatening denunciation, and, if necessary, although the cure would be an extreme one, subscribing four bits each a week to start a paper for the destruction of the fell tyrant, the Governor of British Columbia. As I looked through a cranny in the door of the building, my curiosity being impelled by a fearful suspicion that something was going wrong—my blood ran cold and my heart almost ceased to beat, as I saw Cassius—the real, genuine Shakespearian Cassius—lift the thigh bone of a departed ox, amidst the suppressed sensation and applause of the other conspirators—and whirling the relic of by-gone strength round his animated head, poured forth such a torrent of what must have been, from the enthusiastic gestures, living eloquence, although the language was in a tongue not easily understood by H. B. M. subjects. Brutus speech to the mob was then rehearsed with some slight variations. A division of sentiment however, occurring between the conspirators, Mark Anthony's oration was looked upon with favor by some and Mark came forward, a plain, blunt man: "Friends, Indian whisky-sellers at Point Roberts, and countrymen, lend me your ears"—"Hullo! old fellow, you have no occasion to call for ears, nature has been sufficiently bountiful to you on that head." (Loud cries of traitor! turn him out! intermixed with classic sounds resembling "You bet," here caused unutterable confusion.) A little more rehearsing was done, and a resolution was passed congratulating themselves upon the energy and rapidity with which they had gone to work. Scarcely sixteen days had elapsed since they came into the unexpected position of delegates, and had they not shown their ability since that time in the great things they had done. Did they not confirm their truly British position by sending instructions to the different towns, commanding all white people of whatever nationality to vote, but excluding all the others—though as in the case of numerous colored residents in the colony, the persons so excluded may be British subjects! And all this against the resolution which was passed by the people of New Westminster to regulate the election, that only "male subjects" should vote. But their position would be rather untenable did they recognize this foolish idea, so they content themselves with proving that they are true "democrats," and if not attached to English principles, at least opposed to anri-slavery doctrines. We shall have these Solons prescribing to the upper towns if the latter should be foolish enough to recognize them at all—that the qualifications for delegates should be their capacity to inscribe their names in the style of John Smith X his mark. You will be surprised, Mr. Editor, that even true Semiahmoons are getting disgusted with their unknown delegates and express themselves in the language of Titania in Midsummer Night's Dream:—"Titania—My Oberon! What vision have I seen. Methought I was enamoured of an ass.

Oberon—There lies your love. Titania—How came these things to pass? O, how mine eyes do loathe his visage now.

Your obedient servant,
JOHN JOHNSON

BRITISH COLUMBIA CONVENTION

Friday last was a day long to be remembered by the citizens of New Westminster—a day that will, undoubtedly be noted down in the future almanac of British Columbia as a most important epoch in its history. Early in the morning, or indeed the day previous, a few of the most patriotic of the townsfolk were actively engaged in making preparations for the opening of the first session of this august body by erecting a triumphal arch over the entrance to the Pioneer Theatre and decorating it with mottoes, evergreens and flags. Toward noon a royal salute of twenty-one fire-crackers announced to the inhabitants that the time drew nigh for the congregated wisdom of British Columbia, consisting of the five "right men, respectable and well qualified" representing the interests of New Westminster, and three others from Hope and Douglas duly elected by "white" votes, according to the statute made and provided by the New Westminster delegation, to assemble themselves together. This they accordingly did in the above mentioned theatre, which has thus been rendered immortal, and will be handed down to posterity as the Fanueil Hall of British Columbia. A vast concourse of people witnessed the opening ceremonies, which consisted in the election of Mr. Homer of New Westminster to fill the very arduous, responsible, and at the same time honorable position of President. The pro tem secretary of the Convention having more onerous duties to fulfil in the editorial chair of the "people's paper" could not continue his services in that capacity, in consequence of which Mr. Hall was elected as his successor. Two committees were then appointed, one to draw up rules of order for their future government, and the other to decide on a contested election, and thus the labors of the first sitting were brought to a close by an adjournment to 6 P.M.

As soon as the shades of evening made their appearance curiosity was on tiptoe to hear the great speeches that were to be delivered by British Columbia's embryo statesmen, and the citizens almost en masse wended their way to the "House." The first business transaction was the reading of three or four remarkably laconic "rules of order" and the elimination of a gentleman from Douglas who had the audacity to make his appearance with credentials almost if not quite as good as those of the right "stripe" and elected by British subjects,—rather a sore point, however, he was somewhat unceremoniously given to understand that he must "abasquatulate," which after making a few remarks and receiving the applause of the audience he accordingly did. Then came the brilliant orations, Mr. Chisholm of Fort Hope leading the van by giving over the "thrice-told tale" of British Columbia grievances, and closed by defining the duties, business and objects of the Convention to be simply to draw up a petition to the Queen, praying her to grant a resident Governor and representative institutions. Mr. Robertson of Douglas, and Mr. Thompson of Hope briefly expressed their views on a few points of colonial policy. Those speakers appeared to be firmly impressed with the idea that "brevity is the soul of wit," and governed themselves accordingly. Mr. Clarkson then took the floor; the audience however at this stage of the meeting was growing "small by degrees and beautifully less." Those who still remained, and were in close proximity to the hon. gentleman, and who were fortunate enough to catch a few of his inaudible remarks, were struck with the singular coincidence between his speech and that of the gentleman who first spoke. The senior member for New Westminster, Mr. Scott, next delivered one of his characteristic speeches, amid the cheers of an inebriated citizen, the rattle of billiard balls in the bar-room, and the gingling of glasses on the counter, after which the first resolution was passed and a committee selected to draw up a petition to His Excellency, and the great meeting was over.

Thus the basis of the British Columbia Convention seems to be narrowed down to the simple business of drawing up petitions to Queen Victoria and Governor Douglas. Nothing was said about a light-ship for the mouth of the Fraser, or the removal of impediments to the river's navigation. No improvement suggested. The men are in fact, like so many fish out of water, not having the slightest conception of what they have met to carry out. And thus, this miserable apology for a Convention, enumerating but three individuals out of New Westminster, broke up, to the utter disgust of every spectator in the room.

NEW WESTMINSTER TIMES Feb. 20th, 1861.

Testimonial to the Editor of "New Westminster Times"

At a meeting of a considerable portion of the inhabitants of New Westminster, in the Court-house, after the adjournment of the Municipal Council, the following Address was presented by H. Holbrook, Esq., who prefaced his remarks by saying that it had only been known a few hours previously that it was the intention of Mr. McClure to proceed to Victoria the following morning; they consequently had not had sufficient time to take the Address to numbers of the inhabitants:--

To L. McClure, Esq.--Dear Sir,--We the undersigned inhabitants of New Westminster, cannot permit you to depart from amongst us without expressing the warm friendship we feel for you personally and the strong sense we entertain of the many benefits which have been secured to this city, and to the colony generally by your temperate and able advocacy in your capacity of a public journalist, of measures well calculated to direct the energies of the people, and develop the resources of the country.

And we have good reason to believe that the judicious and temperate tone of your writings in the columns of the New Westminster Times, has had the effect of drawing the attention of some of the Statesmen of England, to the wants and wishes of the people--and the immense natural resources of the country,--all tending to force the conviction on them, that we were a people fitted to enjoy the blessings of self-government.

For all this we thank you, and while the regret is our own at your departure, we trust that in your extended sphere of usefulness, you will still continue to take as warm an interest in the welfare of British Columbia as you have hitherto manifested.

With the best wishes for your happiness, and for your success in all your undertakings, we bid you farewell.

C. A. Brouse, W. G. Armstrong, Ebenezer Brown, W. E. Cormack, F. G. Richards, Henry Holbrook, David Johnston, Valentine Hall, Christopher Lee, Jos. K. Riddle, T. S. Tomlinson, N. S. Campbell, Oliver Urquhart, C.B., Wm. Ross, G. H. Armstrong, Charles Nelson, Thos. R. Holmes, W. G. Peacock, S. D. Levi, M. Bager, S. J. Hamburger, J. A. Webster, George Hooper, George Stanfield, Rolland Elliott, G. W. Hodgkinson, J. C. Hoagland, F. Grelley, Thos. Maloney, Edward Cafferty, Thos. Woodside, W. Kirkpatrick, W. Armstrong, John Murray, George Hesselwood, Daniel Kelso, J. C. Armstrong, W. V. Crawford, Wm. Hines, Henry Elliott, John Brough, John Hall, William Hodgkin, Joseph Davis, W. P. Mullen, R.A., R. Colston, Thos. H. Forester, Joshua Cannon, F. Le Johnson, Jas. Hogg.

NEW WESTMINSTER TIMES

Wednesday, February 27, 1860.

BRITISH COLUMBIA CONVENTION MOVEMENT

To the Editor of the New Westminster Times--

Sir:--The following is a statement of facts connected with the above, which you would oblige the British subjects in Douglas by publishing:

To the Members Elect of the British Columbia Convention--

Gentlemen:--At a meeting of the British subjects of Port Douglas, held on Saturday the 9th inst., at the "What Cheer House" for the purpose of electing a delegate to the "British Columbia Convention" to assemble at the Capital on the 15th instant,--and for minutes of said meeting we respectfully refer you to the newspaper published at New Westminster--the result of the proceedings was the election of Thomas Cooper, Esq., as a candidate to said "British Columbia Convention," to represent the people of this place: Carrying out therefore, gentlemen the instructions of the meeting, we take great pleasure in introducing our delegate Mr. Cooper, to the Convention.

J. MACDONALD	Judges
J. B. HUMPHREYS	of
A. BROWN.	Election.

Wm. Macdonald
R. Macdonald, Secretaries.
Alex. Brown,

GOD SAVE THE QUEEN

Wm. Macdonald, John Gibson, Harvey McNab, Aeneas Macdonald, Thos. G. Marshall, John McDonald, George Caxon, G. B. Humphreys, Andrew M. Jameson, John Giscome, Joseph Waters, D. J. Williams, C. Simpkins, Daniel Bloomfield, A. Brown, W. Burgess, Henry Batson, Charles Thomas, Robt. Young.

The above comprises two thirds of the British subjects resident at Port Douglas, and four of those not signing this document, are officials, whilst the nationality of others claiming to be such is very doubtful.

Mr. Robinson the other delegate from Douglas objected to Mr. Cooper sitting in the Convention, and a committee of three decided in favor of the objection. Mr. Cooper then left his seat and stated that his election was by the unanimous wish of the British people of Douglas, who deemed it their province and theirs only to conduct the affairs of the colony. That Douglas was entitled to two delegates and that only two were sent. He was proud of being delegated to the first British Columbia Convention not by the votes, not by the scheming wire-pulling of the gentlemen of the "white-washed" fraternity, who are (God save the mark) Britons to-day and anything tomorrow but by the voice of British subjects. In conclusion he deemed it his (Mr. C's) duty, on behalf of his constituents to protest against the whole proceedings of the Convention as not being in accordance with the desires of the British people. Mr. C then left the room amidst the loud and prolonged cheering of the audience.

"The Rumor," British Columbian, Feb. 13, 1861.

Page 5, Vol. I

In response to this and similar letters, an editorial appeared in the British Columbian of August 29, 1861, stating that Colonel Moody would sell any or all of his rural land to any active settler. Nevertheless he developed his model farm, Mayfield, and he continued to retain ownership of a large amount of land after he returned to England. In 1900 the New Westminster City Council sued his son-in-law for non-payment of taxes on land which was eventually sold at auction.

Source:--Cope, Lillian. Colonel Moody and the Royal Engineers in British Columbia. MA Thesis, University of British Columbia, 1940. Pages 151-156.

In all he (Col. Moody) "bought" 3,750 acres for which he paid \$1.01 to \$2.42½ an acre. His chief holding was "Mayfield," a 200 or 300 acre tract on the North Road which he developed into a model farm.

Source:--McDonald, Margaret L. New Westminster, 1859-1871. MA Thesis, University of British Columbia, 1947. Page 109.

Excerpts from Moody Letters

We have eleven children . . . We certainly ought to settle in the colony of British Columbia and it is not impossible that some future day we may do so. But it would be imprudent until our income be increased as no one knows better than myself to hope to make money in a colony or to add to one's income out there would be a sort of moonstruck madness . . . You know we like the Colonies and we all have a special affection for B.C. and the kind folk there. Doubtless I personally am not very popular, but as I know it to be on mistaken grounds, I should feel that in due time any unkind sort of unpopularity would soon die away. I have not one single unkind thought towards any single one individual in the whole colony . . .

Speaking of his two sons--Charlie, age 15, Walter, age 13½ he says:

Both are destined for B.C., Charlie very eagerly I hope. They are eager to go . . . I am serious when I say I hope to go with them to settle them in those regions of British Columbia even if I don't stay there more than a year or so myself.

. . . I am assuming that local jealousies are at an end and that you are really a united colony . . . I had many trials, far more bitter than you knew, when I was in British Columbia. You knew some of them and I know you felt for me. I was in a "false position" from first to last and a false position not of my own seeking but at the earnest solicitation of the Secretary of State. I could never hope to make straight that false position, and knew what I had to bear and made every allowance . . . What jolly times we would have if I were living in British Columbia as a country gentleman at "Mayfield" on the Brunette--perfectly independent of all Colonial squabbles or Government Office matters . . . I can't conceive any life happier . . . I have a perfectly passionate longing for that land at Mayfield and all along the course of the Brunette.

Source:--Letters to H. P. P. Crease, as quoted in Cope, Lillian. Colonel Moody, pages 217-219.

"A Memorial," British Columbian,
Feb. 28, 1861.

Pages 6-8, Vol. I.

This Memorial, drawn up by the British Columbia Convention, was sent to the Duke of Newcastle by Governor Douglas. He accompanied it with a lengthy despatch. A second meeting of the Convention was held in Hope in September of 1861 and another Memorial was drawn up. Douglas accompanied this message with another despatch.

Neither Memorial was answered by the British Colonial office, but it is apparent that demands of the colonists influenced the decision to retain two colonies, each with its own governor after Douglas retired late in 1863.

On the following pages are the two despatches sent by Douglas to the Duke of Newcastle.

Source:—Despatches from Governor Douglas to the Colonial Office.
Canadian Archives G. Series, No. 355, pages 14-32 and
105-112.

DESPATCH FROM GOVERNOR DOUGLAS TO THE COLONIAL OFFICE TO ACCOMPANY THE MEMORIAL
SENT BY THE BRITISH COLUMBIA CONVENTION

Victoria, Vancouver Island,
22nd April, 1861.

My Lord Duke,

I have the honor to forward the accompanying Memorial to Your Grace, at the request of Mr. J. A. R. Homer and seven other persons, professedly Delegates representing the towns of Hope, Douglas and New Westminster, at a series of political meetings lately held at the latter place.

2. This movement, so far as I have been able to gather originated with a very few persons; and its chief object was stated to be the attainment of Representative Institutions; a topic necessarily popular, and which was used on this occasion to excite the public mind and induce the inhabitants of New Westminster, Douglas, and Hope, the three towns nearest to the coast, to elect Delegates to serve in what was termed a Convention ostensibly for the purpose of acting as a Council of Advice to the Governor, of correcting abuses, and of obtaining Representative Institutions.

3. When and how the Elections were conducted at Hope and Douglas, has not been alluded to in the quarterly reports received from the Magistrates of those towns; and must therefore I presume have attracted little or no attention; but the proceedings of the New Westminster Election are described in the enclosed cuttings from the New Westminster Times:--

The Editor of that paper was one of the leaders of the movement, and a disappointed candidate for the honors of election; consequently his strictures may be embittered by defeat, and should be received with some allowance.

4. As the meeting was conducted with perfect order and good humour, no official notice was taken of the proceedings other than would have been given to any public exhibition got up for the amusement of the people.

The Memorial to Your Grace now forwarded, is, I believe, the only result of the movement; the Delegates having since dispersed and returned to their homes.

5. On the one single occasion when they sought a personal interview with me, I declined receiving them as representatives of the inhabitants of British Columbia; but I had no hesitation in meeting them, with all courtesy, as a delegation of Her Majesty's subjects from Douglas, Hope, and New Westminster, assembled for the purpose of petitioning the Crown.

6. They did not favor me with their opinion on public affairs, but judging from the pointed reflections upon the whole system of import and inland duties levied on goods in British Columbia, which the Memorial regards as oppressive to the people, the one favourite financial idea evolved, is, that there should be a general reduction of taxation.--They do not pretend to proportion Expenses to income, but propose to carry on the public works requisite for the development of the Colony, by means of public loans; their object being to obtain present exemption from taxation by throwing a part of the current expenditure upon the future inhabitants of the Colony--a measure which is not without a show of justice, and has therefore many zealous advocates, especially among the temporary inhabitants of the Colony.

7. Having by these preliminary remarks given Your Grace some idea of the origin, and object, so far as is known, of this movement, I shall now proceed to a review of the Memorial.

8. The first prayer of the inhabitants is for a resident governor in British Columbia, entirely unconnected with Vancouver Island. Your Grace will, perhaps, pardon me from hazarding an opinion on a subject which so nearly concerns my own official position. I may, however, at least remark, that I have spared no exertion to promote the interests of both colonies, and am not conscious of having neglected any opportunity of adding to their prosperity. The memorial then proceeds to the subject of Representative Institutions, asking for a form of government similar to that existing in Australia and the eastern British North American Provinces. This application should, perhaps, be considered to apply more to the future well-being of the colony than to the views and wishes of the existing population. Without pretending to question the talent or experience of the petitioners, or their capacity for legislation and self-government, I am decidedly of the opinion, that there is not as yet, a sufficient basis of population or property in the colony to institute a sound system of self-government. The British element is small, and there is absolutely neither a manufacturing nor farmer class; there are no landed proprietors, except holders of building lots in towns; no producers, except miners, and the general population is essentially migratory--the only fixed population, apart from New Westminster, being the traders settled in the several inland towns, from which the miners obtain their supplies. It would, I conceive, be unwise to commit the work of legislation to persons so situated, having nothing at stake, and no real vested interest in the colony. Such a course, it is hardly unfair to say, could be scarcely expected to promote either the happiness of the people or the prosperity of the colony; and it would unquestionably be setting up a power that might materially hinder and embarrass the Government in the great work of developing the resources of this country: a power not representing large bodies of landed proprietors, nor of responsible settlers having their homes, their property, their sympathies, their dearest interest irrevocably identified with the country; but from the fact before stated, of there being no fixed population, except in the towns. Judging from the ordinary motives which influence men, it may be assumed that local interests would weigh more with a legislature so formed, than the advancement of the great and permanent interests of the country.

9. I have reason to believe that the memorial does not express the sentiments of the great body of the people of British Columbia; not that I would, for a moment, assume that Englishmen are, under any circumstances, unmindful of their political birthright, but I believe that the majority of the working and reflective classes would, for many reasons, infinitely prefer the government of the Queen, as now established, to the rule of a party, and would think it prudent to postpone the establishment of representative institutions until the permanent population of the country is greatly increased and capable of moral influence, by maintaining the peace of the country, and making representative institutions a blessing and a reality, and not a by-word or a curse.

10. The total population of British Columbia and from the colonies in North America, in the three towns supposed to be represented by the memorialists, is as follows: New Westminster, 164 male adults; Hope, 108 adults; Douglas, 33 adults: in all, 305; which, supposing all perfect in their views respecting representative institutions, is a mere fraction of the population. Neither the people of Yale, Lytton, or Cayoosh, Rock Creek, Alexandria, or Similkameen appear to have taken any interest in the proceeding or to have joined the movement.

11. From the satisfactory working of the New Westminster Council, established last summer, with large powers for municipal purposes, I entertained the idea of enlarging the sphere of their operations, and of constituting similar bodies at

Hope, Yale, and Cayoosh, and all the other towns in British Columbia, with the view, should it meet with the approval of her Majesty's Government, of ultimately developing the whole system into a House of Assembly. Part of the system has already commenced at Yale and Hope. The Government may, by that means, call into exercise the sagacity and knowledge of practical men, and acquire valuable information upon local matters, thus reaping one of the advantages of a legislative assembly without the risks--and, I still think, the colony may, for some time to come, be sufficiently represented in that manner.

12. The existing causes of dissatisfaction, as alleged in the memorial, may be classified under the following heads: (1) That the Governor, Colonial Secretary and Attorney-General do not reside permanently in British Columbia. (2) That the taxes on goods are excessive as compared with the population, and in part levied on boatmen, who derive no benefit from them, and that there is no land tax. (3) That the progress of Victoria is stimulated at the expense of British Columbia, and that no encouragement is given to ship building or to the foreign trade of the colony. (4) That money has been injudiciously squandered on public works and contracts given without any public notice, which subsequently have been sub-let to the contractors at a much lower rate. (5) That faulty administration has been made of public lands, and that lands have been declared public reserves, which have been afterwards claimed by parties connected with the Colonial Government. (6) The want of a registry office, for the record of transfers and mortgages.

13. The first complaint, that the Governor, etc., do not reside permanently in British Columbia, scarcely requires comment from me. Your Grace is aware that I have a divided duty to perform; and that if under the present circumstances the Colonial Secretary and Attorney-General resided permanently in British Columbia, these offices would be little better than a sinecure,--the public service would be retarded and a real and just complaint would exist. Although the treasury is now established at New Westminster, and the Treasurer resides permanently there, I have no hesitation in saying that it would be far more for the benefit of the public service if that department were still at Victoria.

14. The complaint of over-taxation is not peculiar to British Columbia; but whether it is well founded or not may be inferred from the example of other countries. Judging from that estimate, the people of British Columbia have certainly no reason to complain of their public burdens, for the United States tariff which is vigorously enforced in the neighboring parts of Washington Territory, averages 25 per cent. on all foreign goods--spirits and other articles of luxury excepted, on which a much higher rate of duty is charged. The citizen of Washington Territory has also to pay the assessed road and school taxes, levied by the Territorial Legislature. In contrast with these taxes, the import duty levied in British Columbia is only ten per cent., with a similar exception of spirits and a few articles of luxury, which pay a higher duty; while all other taxes levied in the colony are also proportionately low, compared with those of Washington Territory. I might also further state that two-thirds of the taxes raised in British Columbia have been expended in making roads, and other useful public works, and have produced a reduction of not less than a hundred per cent. on the cost of transport, and nearly as great a saving in the cost of all the necessaries of life; so that while the communications are being rapidly improved, the people are, at the same time, really reaping substantial benefits more than compensating the outlay.

15. With respect to the complaint about the boatmen, they had no claim whatever to be exempted from the law imposing a duty indiscriminately on all goods passing upward from Yale; neither did the duty bear at all upon them, as they

were merely carriers and not owners of the goods. The real question at issue was, whether the inland duty should be charged on goods carried from Yale by water as well as by land, and was nothing more than a scheme concocted by the owners of the goods to benefit themselves at the expense of the public revenue.

16. And here I would beg to correct an error in the memorial with respect to the population of British Columbia, which is therein given at 7,000, exclusive of Indians, making an annual average rate of taxation of £ 7 10s. per head. The actual population, Chinamen included, is about 10,000, besides an Indian population exceeding 20,000, making a total of 30,000, which reduces the taxation to £ 2 per head instead of the rate given in the memorial. It must be remembered that all the white population are adults, and tax-paying--there being no proportionate number of women or children; and it is a great mistake to suppose that the native Indians pay no taxes. They have, especially in the gold districts, for the most part, abandoned their former pursuits, and no longer provide their own stores of food. All the money they make by their labor, either by hire or by gold-digging is expended in the country; so that the Indians have now become extensive consumers of foreign articles. Every attention has been given to render the Fraser River safe and accessible; the channels have been carefully surveyed and marked with conspicuous buoys; and foreign vessels may go direct to New Westminster, without calling at Victoria, and the port dues are the same whether the vessels clear originally from Victoria or come directly from foreign ports. It is impossible to imagine a more perfect equality of legislative protection than is given to these ports. . . .

19. I have had applications, under various pretexts, from almost every trading place in the colony for remissions of duty, and I have steadily resisted all such applications on the ground that class legislation is vicious and leads to injustice and discontent. It is, moreover, very doubtful if the proposed remission of duty on ship-building materials would advance that interest, as long as the timber business of New Westminster is a monopoly in the hands of a few persons who keep timber at an unreasonably high price.

20. With respect to the fourth and fifth complaints, I am not cognizant of any circumstances affording grounds for them. I addressed a letter to the Chief Commissioner of Lands and Works, whose department they more immediately affected, and I forward herewith a copy of that officer's report, from which it will be seen that no just cause exists for the allegations made.

21. The want of a registry office, which also forms a subject of complaint, arises solely from our not having succeeded in maturing the details of a measure, which is, I feel, replete with difficulties of no ordinary kind, but that measure, providing for the registration of real estate, will be passed as soon as practicable.

22. Before concluding this despatch, I shall submit a few observations on the financial system of Vancouver Island in contrast with that of British Columbia, explanatory of their distinctive features and their applicability to the colonies respectively.

23. The public revenue of Vancouver Island is almost wholly derived from taxes levied directly on persons and professions, on trades and real estate; on the other hand, it is by means of duties and imposts, and on goods carried inland, that the public revenue of British Columbia is chiefly raised. No other plan has been suggested by which a public revenue could be raised, that is so perfectly adapted to the circumstances of both colonies, or that could be substituted or applied interchangeably with advantage to the sister colony. The reasons may thus be stated: The low price and bulky productions of Vancouver Island will not bear the cost of exportation to any British possession, and are virtually excluded from

the markets of the Mother Country by the distance and expense of the voyage. A precisely similar result is produced through the almost prohibitory duties levied in the neighboring ports of Oregon and California; the former, moreover, abounding in all the products common to Vancouver Island, except coal; and neither being inferior in point of soil, climate or any physical advantage. Thus practically debarred from commercial intercourse and denied a market for its produce, it became painfully evident that the colony could not prosper, nor ever be a desirable residence for white settlers, until a remunerative outlet was found for the produce of their labor. It was that state of things that originated the idea of creating a home market, and the advantageous position of Victoria suggested free trade as the means, which was from thenceforth adopted as a policy--with the object of making the port a centre of trade and population, and ultimately the commercial entrepot of the North Pacific. That policy was initiated several years previous to the discovery of gold in British Columbia, and has since been inflexibly maintained. Victoria has now grown into commercial importance, and its value and influence can hardly be overestimated. Financially, it furnishes four-fifths of the public revenue; it absorbs the whole surplus produce of the colony, and it is a centre from whence settlements are gradually branching out into the interior of the island. Thus Victoria has become the centre of population, the seat of trade, a productive source of revenue, and a general market for the country. The settlements are all compactly situated within a radius of twenty miles, except those which are accessible by sea; there is therefore no pressing call for large expenditure in the improvement of internal communications. Roads are opened where required, with due regard and in proportion to the means of the colony; its vital interests not being greatly affected by any avoidably delay.

24. The circumstances of British Columbia are materially different from those just described. That colony has large internal resources, which only require development to render it powerful and wealthy. Its extensive gold fields furnish a highly remunerative export, and are rapidly attracting trade and population. Mining has become a valuable branch of industry, and essentially the vital interest of the colony; it has hitherto been my unceasing policy to encourage and develop that interest. The laws are framed in the most liberal spirit, studiously relieving miners from direct taxation, and vesting in the mining boards a general power to amend and adapt their provisions to the special circumstances of the districts. The Government has, moreover, charged itself with the more onerous duties in furtherance of the same object, by opening roads through the most difficult routes into all parts of the country, to facilitate transport and commerce, and to enable the miner to pursue his arduous labors with success. Three lines of roads have been successfully carried through the last range, and mining districts five hundred miles from the sea have been rendered accessible by routes hitherto unknown. The extension and improvement of works so pressingly required and indispensable to the improvement and development of the country, still claims the anxious care of the Government. The greatest difficulty was experienced in providing funds to meet the necessarily large expenditure on those works, and that object was accomplished by imposing an import duty on goods, as the only feasible means of producing a revenue adequate to the public exigencies. It was justly supposed that any tax directly levied on the mining population, would lead to clamor and discontent, without being productive of revenue; whereas the indirect tax is not felt as a burden, and, I believe, makes no appreciable difference in the prices which miners have to pay for their supplies.

25. I have entered into the foregoing review of the administrative systems adopted in British Columbia and Vancouver Island, in answer to the assertion of the memorialists, that every exertion is made to stimulate the progress of Vancouver Island, at the expense of British Columbia, and to prove that my measures have ever been calculated to promote, to the fullest extent, the substantial interests of both colonies.

26. I trust your Grace will pardon the length to which this despatch has reached; in forwarding the memorial, however, established rule required that I should accompany it with a report, and I could not well do so in fewer words. I have, etc.

JAMES DOUGLAS.

The above despatch accompanied the second memorial sent to the Colonial Secretary. When both went unanswered, another was sent from a meeting of the Convention in September of 1861. Below is the despatch which Douglas sent with the Memorial.

New Westminster,
8th October 1861

My Lord Duke,

I have the honor of transmitting herewith a memorial addressed to your Grace by Mr. J. A. R. Homer, and eight other persons for the purpose of stating their professed grievances, and urging the policy of establishing representative institutions in British Columbia.

2. This document may be regarded as embodying at most the individual opinions of the authors of the memorial who have no just claim to the ambitious distinction of being considered a representative body, and I am not aware that their political influence or social status is such as would entitle them to assume the part of becoming exponents of the views and wishes of the people of this Colony.

3. I have refused to receive them in their assumed character of "The British Columbia Convention." The term is associated with revolution and holds out a menace--The subject has an undoubted right to petition his sovereign, but the term Convention terms something more; it implies coercion.

4. I have no desire to accuse the authors of the memorial of entertaining any malevolent designs; the majority of them being known as quiet, well meaning tradesmen; sincerely attached, I believe, to the institutions of the country; but at the same time, I am not disposed to overlook the fact that they may become for seditious purposes, the dupes of artful men.

5. I have therefore charged the Magistrates to keep an eye over their movements, and not to interfere with their proceedings so long as they commit no violation of the law.

6. Their last meeting at Hope, of which this Memorial is the only result, appears from the Magistrate's report to have excited very little public interest, as after the first days session scarcely any person, except the authors of the Memorial, attended the meeting.

7. With respect to the prayer of the Memorialists,--that is,--the redress of grievances, and the grant of representative institutions, I will observe, that I fully and cordially admit the proposition, that liberty is the Englishman's birthright, and that the desire for representative institutions is common to all Her Majesty's subjects. I have no wish to say any thing to the contrary, or to advocate any system of Government which deprives the meanest of Her Majesty's subjects of their just rights and privileges.

8. Parliament has, however, seen fit, for good and sufficient reasons, to establish a temporary form of Government in British Columbia not unusual in the infancy of British Colonies--the Government of the Queen in Council--and Parliament, I think, adopted a wise and judicious course.

9. For my own part I would not assume the responsibility of recommending, any immediate change in the form of Government as now established, until there is a permanent British population to form the basis of a representative Government--a population attached to the British throne and constitution, and capable of appreciating the civil and religious liberty derived from that constitution, blessings, which I venture to assert are now enjoyed, in the fullest sense of the term, by the people of British Columbia.

My opinion on the subject has, in fact, undergone no change since I had the honor of addressing your Grace on the 22nd of April last, in my Despatch/
Separate/, reporting on a former Memorial forwarded at that time.

10. It is hardly, I presume, necessary that I should trouble Your Grace with a very detailed notice of the grievances enumerated by the Memorialists, which may be classed under the following heads.

1. The non-residence of the Governor and Colonial officials.
2. The tax on passengers entering the Colony, and the want of a public hospital.
3. The absence of an official survey of the Colony.
4. The want of a Mail Service.
5. The want of Public Schools.
6. Inequality of taxation.
7. Duty on ship building materials.
8. Establishment of the Gold Escort.
9. Grants to the Episcopal Church.

11. With respect to the first of these complaints,--"The residence of the Governor and Colonial officials in Vancouver Island"--I beg to inform your Grace that all the Colonial officers, with the exception of the Governor, Colonial Secretary and Attorney General, who hold similar appointments in Vancouver Island do actually reside in British Columbia, and it is my intention as soon as an Attorney General is appointed for British Columbia to require him to reside in the Colony.

My own time is in a great measure occupied with the affairs of British Columbia, and since the beginning of the present year; I have resided nearly half the time within the Colony.

The Colonial Secretary is necessarily detained in Vancouver Island to attend in my absence to the official duties of both Colonies, but even were it not so, his residence in British Columbia under existing circumstances would be to employ his services in the least useful manner, and to the greatest disadvantage of the public business.

There appears therefore very slender grounds for this complaint as with the exception of the inhabitants of New Westminster, it is in reality a matter of little importance to the people of British Columbia whether the Governor resides at Victoria, or at New Westminster, as matters can be referred to him as readily at the one place as the other.

12. There is certainly nothing objectionable in principle, nor practically oppressive in the "Passenger tax," alluded to in the second complaint, it being levied under the head of Harbor Dues, on vessels entering the Colony, and not directly on Passengers. It yields a sufficient amount of income to defray the charges incurred for the relief of the sick, and casual poor, but is altogether inadequate to the support of a **public Hospital, an establishment** which would, without necessity, put the Colony to a very heavy expense, as the hand of private charity is equal to the relief of the very few cases of real distress which occur.

13. "Official Surveys" will be made of the colony whenever the demand arises for land, but it is an error to suppose that, "but little is known of the "internal resources of the Colony," or, "of the best route to the Mining regions"--on both of those points the Government is well informed, and the most strenuous efforts are being made, at this moment, to remove difficulties of access, and to open the internal communications of the country.

14. A regular Mail Service has for some time past been established for the conveyance of letters to Douglas, Hope and Yale; it has not, however, been extended beyond these points, on account of the great expense, to which the Colony would be put by an efficient overland postal service, and I may add that with the present small population, the cost would be altogether disproportionate to the object. This circumstance gives rise to no inconveniences, as letters are regularly carried to the remotest gold fields at a not unreasonable charge, considering the cost of travelling by private express companies, which have been engaged in that business since the early part of 1853, and I do not consider it advisable to disturb that arrangement which relieves the Government of so much responsibility and expense.

15. Government has not been unmindful of the subject of education, and will make provision for the establishment of public schools as soon as required; there are at present two schools at New Westminster, and certainly not over half a dozen children fit for school at any of the other towns in British Columbia.

16. On the subject of taxation, I may generally remark that, the Revenue is levied on a population of at least 35,000 persons, and not on 8,000 as represented in the Memorial, and two thirds of the whole sum is paid by native consumers. I may further assure Your Grace that, it has been collected without oppression on the part of Government, or murmuring on the part of the people.

17. As a proof that the road taxes collected at Douglas Hope and Yale, are not considered "unfair," and meet the general approval of the people, I forward copies of three petitions lately received from the Merchants and inhabitants of Hope, Yale and Lytton, recommending an additional tax for the formation of roads, which have produced so large a saving in the cost of transport as already makes a ten-fold return to the taxpayer.

18. The Gold Escort, as I informed Your Grace in a former communication, has a two-fold-object-the safe conveyance of gold from the distant parts of the country; and to assist the Magistrates in enforcing obedience and respect to the laws. There must be a mistake about the irregularities alluded to in the Memorial, as the Escort has not yet accomplished its first trip to Carriboo, a distance of 500 miles, but is reported to be on the way with a large amount of Treasure.

19. The prohibitory duty on ship building materials is hardly more real than the former complaint, as the timber is produced in the Colony, and is subject to duty whatever, while none of the other materials are charged with anything more than the regular duty of 10 per cent ad-valorem levied on other commodities.

20. I informed Your Grace in my Despatch, Separate, 16th July, that I had granted the sums of £ 200 each, at the request, and in aid of private contributions of the inhabitants of Douglas and Lytton for building churches in these towns with the sole object of providing decent places of Christian worship, which did not previously exist, and to promote the interests of religion and morality.

21. In conclusion I have only to express my sincere regret that the authors of the Memorial did not bring forward some practical scheme for the advancement of the Colony, instead of occupying their time in attempts to excite distrust, and foment discontent, when no real or substantial grievance does, I believe, in point of fact, exist. I have to &c. JAMES DOUGLAS.

"Celestial Tax," British Columbian
March 14, 1861.

Page 9, Vol. I.

The Chinese were often called the "Celestials," because during the unsuccessful Tai Ping rebellion, the leader called himself the Heavenly Father and claimed the object of the revolution was to set up the Heavenly Kingdom in China. Support for the movement was very wide spread as the people attempted to displace the repressive Manchu dynasty.

The use of some ideas and terms borrowed from Christianity alarmed some Chinese traditionalists who might otherwise have supported a rebellion against the Manchus. These terms also sounded strange to western ears and the use of the term "Celestials" to describe the Chinese in B.C. was obviously a derogatory term. The movement, though it failed, was a genuine attempt to establish a society in China in the 1850's which would be egalitarian.

"Important to Mariners," British Columbian,
July 18, 1861.

Page 14, Vol. I.

In a paper entitled, Port of New Westminster, G. Farthing discusses the many handicaps New Westminster possesses as a port. Fog, floods and ice have created hazards over the years but the worst problem has been shifting sands. Speaking of these early problems Farthing says,

Various markers and buoys were placed along the channel, and in 1865 a lightship was installed at the Sandheads. Unfortunately it was not always possible to shift the buoys as fast as the channel shifted itself. Some seagoing vessels continued to chance the passage, almost all of them in order to load lumber or salmon, but scraped bottoms and strained hulls were a constant possibility. The newspapers of the period contain frequent Notices to Mariners, warning them of buoys incorrectly positioned and similar hazardous conditions.

Farthing, G. Port of New Westminster. Term Paper for Seminar in History of British Columbia Conducted by Dr. Margaret Ormsby, UBC, 1959. Page 15. (Copy in New Westminster Library and on microfilm in UBC Library.)

"Education," British Columbian,
Feb. 27, 1862.

Page 25, Vol. I.

These notes also apply to "Church and State,"
British Columbian, Feb. 24, 1863.

Page 67, Vol. I.

When the Quebec Act was passed in the British Parliament in 1774 to make provision for the recently acquired French colony, the Roman Catholic church was recognized and a tithing system was established for the support of the church and the clergy.

After the American Revolution brought an influx of Loyalists into Quebec, the colony was divided into Upper and Lower Canada in 1791. Land in Upper Canada (where the Loyalists settled, now part of Ontario) was surveyed on the township system and 1/7 of every township was set aside as a clergy reserve. Proceeds from the sale of the land were to be used for the support of the "Protestant Clergy."

John Strachan, who became the Anglican Bishop of Toronto in 1839, was appointed to the Executive Council shortly after the War of 1812. His experiences during this war had deepened his distrust of Americans and of republican institutions. He used his position on the Council to impose his ideas. As the key person in an influential elite nicknamed "The Family Compact," Strachan attempted to secure the reserves for the sole use of the Church of England.

Strachan's policies led to a serious sense of grievance among members of other denominations. Presbyterians claimed a share of the reserves on the ground that the Church of Scotland (Presbyterian) was the established church in that country and since more upper Canadians were Scottish than English, the Church of England had no right to aspire to be an established church in Canada.

Egerton Ryerson, an Anglican of Loyalist descent who converted to the Methodist church and became a preacher, was Strachan's strongest opponent. As editor of the Christian Guardian, a Methodist newspaper which he founded, Ryerson attacked Strachan's belief that Upper Canada should copy the English pattern of having an established church. He denied Strachan's charges that Methodists were tainted with American political ideas and declared that the churches of each denomination should be supported by the voluntary offerings of the membership and not by public funds. By 1854 when the Clergy Reserve question was finally settled, Ryerson's ideas had prevailed.

As a school master, first in Cornwall in 1803 and then in York (Toronto) from 1812, Strachan acquired a reputation as an excellent teacher. He used his position on the Executive Council to shape the School Act of 1816 and intended that the Church of England, as an established church should have control of education in the colony. In 1827 he obtained a charter for King's College to be established at York using proceeds from the sale of Clergy Reserve land to the Canada Company. There was so much opposition to this that Governor Colborne established Upper Canada College as a university preparatory school and the founding of a university was delayed. Strachan was not re-appointed to the Board of Education in 1832. As his influence waned that of Egerton Ryerson became greater. In 1844 he became Superintendent of Education and continued in that office for the next thirty-six years.

During that period Ryerson worked hard to achieve free and compulsory education publicly supported through taxation. He believed that public schools should be non-sectarian but that moral values should be transmitted through the school system. He did a great deal to improve the quality of education by working to provide better teacher training, better school buildings and better text books and curricula.

He was responsible for the University College being established as the non-sectarian core of the University of Toronto. By 1868 it was the only college receiving state support as grants to the denominational colleges were cut off. Strachan attacked the establishment of this "Godless University" and founded Trinity College as a Church of England institution. Victoria College, a Methodist university founded in Coburg, was moved to Toronto but in accordance with Methodist ideas of voluntarism was supported by the Methodist Church.

The correspondence which follows will give you some insight into the ideas of Governor Douglas and the British Colonial Secretary on these matters.

"The Executive Demented," British Columbian.
May 21, 1862.

Page 27, Vol. I.

Many items in Vol. I give you an insight into the attitude of many of the townspeople of New Westminster toward the Indians. In this volume, correspondence between Governor Douglas and the British Colonial Office and between Douglas and Moody will help you to form your own opinion of Douglas' Indian policy.

BRITISH
COLUMBIA.
No. 32.

No. 32.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 32.)

Downing Street, October 19, 1858.

SIR,

Enclosure 1.
Enclosure 2.

I ENCLOSE for your information a copy of a letter from the Archbishop of Canterbury, announcing to me the munificent endowment offered by Miss Burdett Coutts for the foundation of a See in British Columbia, together with my reply to that communication.

I have, as you will perceive by the correspondence, gladly accepted this noble contribution to the cause of Christianity; and I rejoice to think that the service and ministrations of the Church will not be wanting to the early stages of Colonial life.

I have, &c.

Governor Douglas,
&c, &c.

(Signed) E. B. LYTTON.

Enclosure 1 in
No. 32.

Enclosure 1 in No. 32.

SIR,

Lambeth, September 27, 1858.

I HAVE the honour to acquaint you, that in consequence of the importance which is likely to belong to the Colony of British Columbia, and the expediency of providing for the Spiritual Instruction of the population assembling there, Miss Burdett Coutts has empowered me to propose the appointment of a Bishop there, who may take the oversight of the Clergy, and superintend the religious interest of the country and people; and for that purpose she is prepared to furnish an endowment of the See to the amount of 15,000*l*.

I am in hopes that Her Majesty's Government may consider this so desirable a measure as to consent to the erection of the See.

I have, &c.

The Right Honourable Sir E. Lytton, Bart.

(Signed) J. B. CANTUAR.

Enclosure 2 in
No. 32.

Enclosure 2 in No. 32.

MY LORD ARCHBISHOP,

Downing Street, October 7, 1858.

I HAVE the honour to acknowledge your letter of the 27th ult., in which you inform me that Miss Burdett Coutts desires to devote the large sum of 15,000*l*. to the endowment of a Bishopric in the new Colony of British Columbia.

To lay the foundation of a Christian Church in all its completeness simultaneously with the establishment of a civil policy is a worthy system of colonization, in which, as your Grace rightly apprehends, Her Majesty's Government will gladly co-operate to the best of their ability, and will offer every facility for the erection of the new See. For my own part, as the Minister especially charged with the superintendence and administration of the new Colony, I would desire, through your Grace, to express to Miss Burdett Coutts the high and grateful appreciation which I entertain of this her latest, but not least munificent, contribution to the purposes of Christianity and civilization.

Of recent years, from various causes, the State has greatly departed from the ancient practice of supplementing by grants of land or money the requirements of the Colonial Church. That Church, in consequence, following the analogy of the freer system of self-government which has with happy effect been conceded to many of our Colonies, has thrown herself upon the voluntary efforts of her children, both abroad and at home; but the provision thus made for her Spiritual organization, if indeed less large in amount than it would have been had it been drawn from the ampler resources of the State, has been made in a spirit of self-sacrifice and devotion calculated to give permanent life and fixity to her teaching and Ecclesiastical system.

The best recognition of the present munificent endowment will be found in its leading the colonists of British Columbia to imitate the self-denial and zeal to which their church will owe her early and effective organization.

Starting in her career under Episcopal guidance, and complete in all the parts of her system, that Church will commence her Missionary work with more than the usual promise of success. Her field of labour will undoubtedly be arduous. There must be many difficulties in the earlier stages of a society gathered from all parts of the world, and reflecting every variety of the human character; but thus constituted she will prove, I cannot doubt, not only a teacher, but a civilizer; not only a spiritual, but a social blessing, lending in the new world, as in the old, her direct and powerful aid to law and order, bringing education in her train, and reminding the adventurers and Colonists of British Columbia that it is the right use, and not the mere acquisition, of wealth which makes communities, as well as individuals, truly prosperous and happy.

I have, &c.

(Signed) E. B. LYTTON.

No. 1.

Copy of DESPATCH from Governor Douglas, C.B., to his Grace the Duke of Newcastle.

Victoria, Vancouver Island, February 17, 1860.

(Received April 12, 1860.)

(Answered, No. 26, May 19, 1860.)

My Lord Duke,

In my Despatch, No. 224, of the 18th October last, reporting to your Grace on the state of British Columbia, I took occasion, while adverting to the existing means of moral and religious instruction in the Colony, to inform your Grace that Divine Service was regularly held in the several towns of Lower British Columbia by resident clergymen, and that the almost total absence of crime went far to show how usefully and extensively the influence of their teaching is felt.

2. It did not, however, occur to me to inform your Grace at the same time that I had, on the part of this Government, done everything in my power to promote the good cause, by encouraging the residence of an ordained and educated clergy in British Columbia.

3. Having no authority to apply any part of the public revenue to the aid and support of churches, there was little in my power to bestow beyond the sincerest sympathy and advice in aid of the zealous clergy of the Church of England and the Methodist Episcopal Church, who first entered the field of missionary labour in British Columbia.

4. I did not, however, hesitate to assign to the clergy of those persuasions respectively, on their application, a church, school, and dwelling-house site, forming a block of four building lots, or about one acre of land in extent, in all towns where they resided. Thus free grants to that extent, viz., one acre, have been made for the use and benefit of the Church of England and of the Methodist Episcopal Church respectively in the towns of Yale, Hope, Derby, Douglas, and New Westminster, as a small return for the valuable services rendered to the country by the clergy of those churches, who have hitherto received no other compensation from the Government.

5. I have to request your Grace's sanction for those grants, and authority to continue the same practice in all other towns of British Columbia where ordained Ministers of the Gospel may think proper to take up their residence; and further, seeing that one of the duties most deserving the attention of Government is to provide means for the moral and religious training of the people, I would take the liberty of recommending to Her Majesty's Government that free grants of 100 acres of rural land should be made in aid of every cure formed in British Columbia, provided they be not otherwise supported at the public expense, and there be a resident clergyman, and a place of Christian worship erected.

6. A grant of land to that extent would not be burdensome to the Colony, and would nevertheless form an attractive inducement for Christian churches to devote their attention to the country until population increases, and other provision is made for the maintenance of a Christian clergy and the erection of places of Christian worship.

7. It is not my intention to advocate the establishment of a dominant and endowed church, as that object could not be accomplished without injustice in a country to which persons of all religious persuasions are invited to resort, but I conceive it would be advisable to extend, in the manner before indicated, the protection and support of Government to the four grand denominations of Christians, viz., the Church of England, the Presbyterian, Methodist, and Roman Catholic Churches, which are all represented by classes of the population in this Colony.

8. I shall be glad to receive the instructions of Her Majesty's Government on this subject.

I have, &c.

(Signed)

JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

PAPERS RELATING TO BRITISH COLUMBIA PART IV.

No. 2.

No. 2.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 25.)

Victoria, Vancouver Island, February 18, 1860.

(Received April 12, 1860.)

(Answered, No. 27, May 25, 1860, page 66.)

MY LORD DUKE,

THE desire manifested on the part of Her Majesty's Government for the improvement and well-being of the aboriginal races of British Columbia induces me to lay before your Grace the enclosed interesting correspondence between the Reverend Edward Cridge, district minister of Victoria, and Mr. William Duncan, an exemplary and truly worthy gentleman, who has, for some years past, been devotedly labouring with a wonderful degree of energy and perseverance as a Christian missionary among the Indian population at and about Fort Simpson.

2. The facility with which Mr. Duncan has acquired the native language, and succeeded in winning the confidence and attachment of the natives, is a proof of the good sense, kindness of heart, and talent which he has brought to the task; while the very marked success of his efforts as a religious teacher gives rise to the gratifying hope that the natives will yet, through God's blessing, be rescued from ignorance, and assume a respectable position in British Columbia.

3. Mr. Duncan proposes to found a missionary settlement for Indian converts in an eligible situation, about 20 miles south of Fort Simpson (probably Port Essington), a plan which meets with my entire approval.

4. I therefore, with your Grace's sanction, intend to reserve several hundred acres of land in that neighbourhood to enable Mr. Duncan to carry this useful and benevolent plan into effect.

5. I would submit, with respect to all land reserved for Indians, the advisability of withholding from them the power to sell or otherwise alienate the title, as they are yet so ignorant and improvident that they cannot safely be trusted with the management or control of landed estate, which, if fully conveyed to them, would soon pass into other hands.

6. I would, therefore, recommend, as a safe and preferable course, that such reserves of land should be conveyed to the Governor of the Colony for the time being in trust for the use and benefit of the Indians, leaving no power whatever in them to sell or alienate the estate.

7. Should those measures meet with your Grace's approval, I have to request the sanction of Her Majesty's Government for carrying them into effect.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

Enclosure 1 in No. 2.

Encl. 1 in No. 2.

To his Excellency JAMES DOUGLAS, C.B., Governor of British Columbia, &c. &c. &c.

The Parsonage, Victoria, V. I.,
February 18, 1860.

MY DEAR SIR,

I BEG to lay before you a letter which I have just received from Mr. W. Duncan, Church of England Missionary at Fort Simpson, in reply to one which, in conformity with your Excellency's

instructions a short time ago, I wrote to him expressive of the interest you felt in his mission, and of your desire to aid him in his work. A copy of which I subjoin.

I remain, &c.

(Signed) EDWD. CRIDGE.

BRITISH
COLUMBIA.

The Parsonage, Victoria,
January, 1860.

DEAR MR. DUNCAN,

I AM requested by his Excellency the Governor to express to you the great gratification he has received from conversing with several of the Indians who have been under your instruction at Fort Simpson, and who are now at Victoria, and his pleasure at witnessing the great improvement in manners, learning, and religion which you have succeeded in effecting in their condition.

His Excellency trusts you will continue to show the same energy and perseverance which he is sure you must already have applied to the work, and that your labour will be rewarded by a still larger measure of success.

His Excellency also wishes me to say that he will feel obliged by your reporting to him from time to time on the progress of your mission. Any suggestions you may make with regard to measures which may occur to you as likely to prove beneficial to the Indians under your care, such as settling them in any particular locality, or setting apart a reserve of land for their use, will receive his Excellency's best attention, who will also, if necessary, represent such measures with his favourable recommendation to Her Majesty's Government.

Praying that the Divine blessing may rest abundantly on your mission,

Believe me, &c.

(Signed) EDWD. CRIDGE,

District Minister of Victoria and Colonial Chaplain.

Enclosure 2 in No. 2.

Encl. 2 in No. 2

Mr. DUNCAN to Rev. E. CRIDGE.

REV. AND DEAR SIR,

Fort Simpson, British Columbia, February 7, 1860.

I DULY received, by the favour of Captain Dodd of the Honourable Hudson's Bay Company, your kind letter of the 11th ult., tendering me the sympathy and good wishes of his Excellency the Governor of British Columbia in reference to my work as a Missionary among the Chinzyan Indians of this place. Also expressing his Excellency's desire that I would report to him from time to time the progress of the mission, and make suggestions of any measures which I deem would be likely to prove beneficial to the Indians under my care, such as settling them in any particular locality, or setting apart a reserve of land for their use.

I feel indeed truly thankful to his Excellency for the very kind interest he manifests in the mission, and I shall rejoicingly avail myself of the privilege he extends to me, in making such communications to him from time to time as circumstances may suggest and opportunities afford.

For his Excellency's information I would now mention that I began a school here in November 1858, which I still continue to carry on. My pupils number about 200, of whom only about 30 are adults. The daily attendance varies from 80 to 130 souls, excepting the times when they go away in great numbers to procure fish, which occupies about four months in the year, and at such times our daily attendance is from 40 to 80 souls.

The instruction I give them is in reading, writing, counting, singing, and religious knowledge. The latter I teach in their own tongue, but everything else in English.

Another prominent part of my daily work is visiting the Indians in their own houses; the visits I make are mostly in answer to calls for help and medicine in sickness; but I have thereby many opportunities of speaking to all the inmates of a house. I usually address them on the evil of their doings, and point out the inevitable consequences of sin, both in time and in eternity. I then tell them of the sinner's friend, and set the blessed Gospel of our Lord Jesus Christ before them, illustrating from their own customs our need of such a Saviour.

As to the result of my labours among them, speaking generally, I may say that many remain infatuated, utterly regardless of the future, while others, caring not for themselves, yet seem anxious for their children to learn and walk in the good way; the remainder are those who are anxious for themselves as well as their children to learn and practise what is good.

It is to the case of this latter class that I would wish his Excellency's attention was drawn; and, in reference to their case, permit me humbly to suggest the propriety of a place being founded in which such Indians may find a home, and where there may be no lack of remunerative labour put into their hands. I confess my only hope of seeing the Indian races of this coast diverted from the destructive courses to which they are now so strongly tempted lies in the carrying out of some such plan as the above for their benefit.

However small and insignificant at first such a place might be, I have no doubt of its ultimate growth and prosperity. Some time ago I hinted to a few of the better disposed Indians here the idea of their separating from the rest, and thus avoiding the ruin which threatened them all, and they embraced the subject heartily.

One old chief urged me much to write to the people at home about the matter. He very properly told me that he saw no chance of benefiting even the rising generation unless they were removed from the evil influence around them at this place.

And I now see from instances which have already occurred, that the children I am teaching will be drifted from me as they grow up and become victims to the same vices which enslave their parents.

This makes me feel a growing anxiety for a safe retreat.

PAPERS RELATING TO BRITISH COLUMBIA.

BRITISH
COLUMBIA.
—

There is no lack, I am happy to state, of suitable spots of land. One place the Indians frequently speak of as offering many advantages for a future home. It is about 30 miles south of this place, so far as I can ascertain. They have often wanted me to go and see it, but I never went, for I was not anxious to raise up hopes among the Indians which I might afterwards disappoint.

However, as his Excellency the Governor has kindly alluded to the matter of settlement, I shall now make it my duty in my addresses to the Indians to bring the subject prominently before them.

By the time that another opportunity occurs of communicating with Victoria, I hope to be able to speak more definitely regarding the subject as the Indian views it.

Thanking you for your kind letter, and praying that the Governor may ever be moved and guided in his efforts for the public good by that wisdom which is from above,

To the Rev. E. Cridge,
District Minister of Victoria,
&c. &c.

I remain, &c.
(Signed) W. DUNCAN.

BRITISH
COLUMBIA.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Governor
DOUGLAS, C.B.

(No. 26.)

Downing Street, May 19, 1860.

SIR,

* Page 1.

I HAVE to acknowledge the receipt of your Despatch, No. 24,* of the 17th of February last, on the subject of the grant of endowments in land to the clergymen of the principal Christian communities established in British Columbia.

I approve of the grants of about one acre each which you have already made to the clergy of the Church of England and the Methodist Episcopal Church as sites for a church, school, and dwelling-house, and you will also be at liberty to make similar grants in all towns in the Colony where ordained ministers of the Gospel may take up their residence, and where congregations may be established and require their assistance; but care should be taken that the land shall be appropriated to the purposes for which it was intended, and that it shall be so conveyed as to be secure against the possibility of misapplication in future years.

Your further proposal, that free grants of 100 acres of rural land should be made in aid of every cure established in British Columbia, and not otherwise supported at the public expense, I consider to be open to serious objections.

The experience afforded by other Colonies tends to show that where a clergyman in a new Colony has to depend on his land for his principal means of subsistence, he must, to make it answer, devote to it so much of his time as seriously to interfere with his usefulness; unless he does this, the endowment becomes only an apparent, not a real provision for him. He cannot let it, because land in a new settlement is never, except under very peculiar circumstances, taken on lease, and to employ hired labour would generally be beyond the means of a clergyman so situated.

For these reasons I am unable to sanction the measure which you propose. The practice of making grants of land as endowments to livings in the Colonies has been generally discontinued for many years, and I much doubt whether it is not better for a clergyman to depend entirely on the liberality of his congregation than to be provided with an endowment which, though no substantial assistance to him, may be an excuse to such of his congregation as are disposed to withhold their aid.

I am, &c.

(Signed) NEWCASTLE.

Governor Douglas, C.B.
&c. &c.

No. 2.

No. 2.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Governor
DOUGLAS, C.B.

(No. 27.)

SIR,

Downing Street, May 25, 1860.

† Page 2.

I HAVE to acknowledge the receipt of your Despatch, No. 25,† of the 18th of February last, enclosing copies of a correspondence between Mr. Cridge, the District Minister of Victoria, and Mr. Duncan, relative to the formation of a settlement for Indian converts to Christianity, and in order to carry this plan into effect you propose to reserve several hundred acres of land in the neighbourhood of Fort Simpson.

Subject to the stipulations which you suggest, namely, that the land should be conveyed to the Governor of the Colony for the time being, in trust for the use and benefit of the Indians, leaving them no power to alienate or dispose of it, I have to authorize you to take the necessary steps for the conveyance of the lands in question.

I have, &c.

(Signed) NEWCASTLE.

Governor Douglas, C.B.
&c. &c.

PAPERS RELATING TO BRITISH COLUMBIA PART IV.

No. 9.

No. 9.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 72.)

Victoria, Vancouver Island, August 4, 1860.

(Received September 27, 1860.)

(Answered, No. 56, October 26, 1860, page 67.)

MY LORD DUKE,

† Page 66.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 26,† of the 19th of May 1860, on the subject of the grants of endowments in land to the clergy of the principal Christian communities established in British Columbia; and I learn with satisfaction that your Grace has been pleased to sanction the grants already made of about one acre each, and also to approve of a similar grant under similar circumstances in all towns in British Columbia; and I will take care that your Grace's suggestion as to the precautions necessary in the appropriation and conveyance of the land is not disregarded.

I observe and admit the force of the reasons which have induced your Grace to withhold the sanction of Her Majesty's Government to my further proposal that free grants of 100 acres of rural land should be made in aid of every cure established in British Columbia, and not otherwise supported at the public expense.

Your Grace will perhaps permit me to remark with reference to my recommendation of that measure, that I was desirous by it of holding out inducements to educated and respectable clergymen to take up their residence in the Colony, and of contributing in a small degree towards their decent maintenance and support; I, in fact, regarded it as an easy and inexpensive means of providing a fund which would materially and increasingly tend to the advancement and support of religion, without putting the Colony to any serious expense.

I did not view the proposed endowment as a sufficient or exclusive means of support; it was considered in my scheme only as an attractive inducement and important aid for religious bodies and clergymen, who perhaps, having a certain amount of private means or of funds drawn from other sources at their disposal, might by the prospect of that additional aid be induced to assume pastoral charge, and to found cures. When the good work was well begun, I trusted to the effect of voluntary contributions to complete the fund necessary for the support of the incumbent and for church extension throughout the Colony.

The circumstances of British Columbia, as your Grace is aware, are very peculiar: had the Colony been settled by a population drawn from the mother country, holding the same religious views, and appreciating Christian privileges and instruction, there would have been less cause for anxiety about the support of religion.

Bodies of Christian settlers, however poor, might reasonably be expected to unite in contributing, according to their means, to secure the advantage of having a Christian pastor resident among them.

But unfortunately the state of British Columbia is such as precludes the probability of such a desideratum; its population is made up of drafts from many nations, dissimilar in language, and totally disagreeing in their religious views; and it will, I fear, be many years before Christian congregations of any denomination will be found capable of supporting their own pastors.

It is for that reason that the Colony so urgently needs the fostering care of Government, for without its aid the country may remain unprovided with churches and destitute of Christian teachers for an indefinite period of time.

PAPERS RELATING TO BRITISH COLUMBIA.

I hope it will not be supposed from anything herein stated that I am pressing this matter with an earnestness beyond its merits. I have merely addressed your Grace under a profound sense of one of the wants felt by the Colony, and for which I have no other means of providing.

BRITISH
COLUMBIA.

I feel, in fact, that this is a subject demanding my closest attention, and to which I am particularly directed by Her Majesty's instructions, which enjoin that I should take especial care that Almighty God be devoutly served, and that orthodox churches be built, and well and orderly kept.

Should it still appear to Her Majesty's Government that the peculiar circumstances of the Colony do not warrant a reconsideration of your decision in respect to the proposed endowment, I trust your Grace will authorize me to substitute a money equivalent out of the Colonial Revenues, or to make some other provision calculated to advance and support the cause of religion.

I have, &c.

(Signed) JAMES DOUGLAS.

His Grace the Duke of Newcastle,
&c. &c. &c.

PAPERS RELATING TO BRITISH COLUMBIA PART II

NO. 53

Copy of DESPATCH from Governor Douglas to the Right Hon. Sir E. B. Lytton, Bart.

Victoria, Vancouver's Island, March 14, 1859.
(Received May 10, 1859.)

Sir,

I have the honour to acknowledge the receipt of your Despatch, No. 62, of the 30th December last, containing many valuable observations on the policy to be observed towards the Indian tribes of British Columbia, and moreover your instructions, directing me to inform you if I think it would be feasible to settle those tribes permanently in villages; suggesting in reference to that measure, that with such settlement, civilization would at once begin; that law and religion would become naturally introduced among them, and contribute to their security against aggressions of immigrants; that through indirect taxation, on the additional articles they would purchase, they would contribute to the Colonial Revenue, and with their own consent, some light and simple form of taxation might be imposed, the proceeds of which would be expended strictly and solely on their own wants and improvement.

2. I have much pleasure in adding, with unhesitating confidence, that I conceive the proposed plan to be at once feasible, and also the only plan which promises to result in the moral elevation of the native Indian races, in rescuing them from degradation, and protecting them from oppression and rapid decay.

It will, at the same time, have the effect of saving the Colony from the numberless evils which naturally follow in the train of every course of national injustice, and from having the native Indian tribes arrayed in vindictive warfare against the white settlement.

3. As friends and allies the native races are capable of rendering the most valuable assistance to the Colony, while their enmity would entail on the settlers a greater amount of wretchedness and physical suffering, and more seriously retard the growth and material development of the Colony, than any other calamity to which, in the ordinary course of events, it would be exposed.

4. In my Despatch, No. 4, of the 9th of February last, on the affairs of Vancouver's Island, transmitting my correspondence with the House of Assembly up to that date, there is a message made to the House on the 5th of February, 1859, respecting the course I proposed to adopt in the disposal and management of the land reserved for the benefit of the Indian population at this place, the plan proposed being briefly thus:--that the Indians should be established on that reserve, and the remaining unoccupied land should be let out on leases at an annual rent to the highest bidder, and that the whole proceeds arising from such leases should be applied to the exclusive benefit of the Indians.

5. The advantages of that arrangement are obvious. An amount of capital would thereby be created, equal perhaps to the sum required for effecting the settlement of the Indians; and any surplus funds remaining over that outlay, it is proposed to devote to the formation and support of schools, and of a clergyman to superintend their moral and religious training.

6. I feel much confidence in the operation of this simple and practical scheme, and provided we succeed in devising means of rendering the Indian as comfortable and independent in regard to physical wants in his improved condition, as he was when a wandering denizen of the forest, there can be little doubt of the ultimate success of the experiment.

7. The support of the Indians will thus, wherever land is valuable, be a matter of easy accomplishment, and in districts where the white population is small, and the land unproductive, the Indians may be left almost wholly to their own resources, and, as a joint means of earning their livelihood, to pursue unmolested their favorite calling of

8. Anticipatory reserves of land for the benefit and support of the Indian races will be made for that purpose in all the districts of British Columbia inhabited by native tribes. Those reserves should in all cases include their cultivated fields and village

sites, for which from habit and association they invariably conceive a strong attachment, and prize more, for that reason, than for the extent or value of the land.

9. In forming settlements of natives I should propose, both from a principle of justice to the State and out of regard to the well-being of the Indians themselves, to make such settlements entirely self-supporting, trusting for the means of doing so, to the voluntary contributions in labour or money of the natives themselves; and secondly, to the proceeds of the sale or lease of a part of the land reserved, which might be so disposed of, and applied towards the liquidation of the preliminary expenses of the settlement.

10. The plan followed by the Government of the United States, in making Indian settlements, appears in many respects objectionable; they are supported at an enormous expense by Congress, which for the fiscal year ending June 30, 1856, granted the sum of 358,000 dollars for the support and maintenance of the Indians of California alone, and for the four years ending with the 30th June 1858, the total expenditure for that object came to the large sum of 1,104,000 dollars, and notwithstanding the heavy outlay, the Indians in those settlements are rapidly degenerating; neither would I recommend the system pursued by the founders of the Spanish missions in California.

Their objects, though to a certain extent mercenary, were mainly of a benevolent kind; the Indians were educated and trained in the Roman Catholic faith; they were well fed and clothed, and they were taught to labour; but being kept in a state of pupillage, and not allowed to acquire property of their own, nor taught to think and act for themselves, the feeling and pride of independence were effectually destroyed; and not having been trained to habits of self-government and self-reliance, they were found, when freed from control, altogether incapable of contributing to their own support, and really were more helpless and degraded than the untutored savages.

11. With such beacons to guide our steps, and profiting by the lessons of experience so acquired, we may perhaps succeed in escaping the manifest evils of both systems; the great expense and the debasing influences of the American system, by making the Indians independent and the settlements self-supporting; and to avoid the rock on which were wrecked the hopes of the Spanish missions, I think it would be advisable studiously to cultivate the pride of independence, so ennobling in its effects, and which the savage largely possesses from nature and early training.

12. I would, for example, propose that every family should have a distinct portion of the reserved land assigned for their use, and to be cultivated by their own labour, giving them however, for the present, no power to sell or otherwise alienate the land; that they should be taught to regard that land as their inheritance; that the desire should be encouraged and fostered in their minds of adding to their possessions, and devoting their earnings to the purchase of property apart from the reserve, which would be left entirely at their own disposal and control; that they should in all respects be treated as rational beings, capable of acting and thinking for themselves; and lastly, that they should be placed under proper moral and religious training, and left under the protection of the laws, to provide for their own maintenance and support.

13. Having touched thus briefly on the prominent features of the system, respecting which you requested my opinion, and trusting that my remarks may convey to you the information you desired, and may not be deemed irrelevant.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

From Papers Relating to the Land Question, 1875.

The Chief Commissioner of Lands and Works to the Colonial Secretary

Lands and Works Department,
New Westminster, 27th May, 1862.

Sir,--An Indian named Snat Stroutan, of the Squamish tribe, resident here, desires to purchase, just as a white man would, one of the suburban lots adjoining New Westminster. It is among those that have been put up to auction, and was not bid for, so that it is open to purchase at the upset price. The lot selected by him is at some distance from the town, so that it cannot prove an annoyance and the man proposes actually to reside thereon.

The above is an interesting turning point in the history of the Indians in British Columbia, and I submit that I be authorized to receive the purchase money, procure him a title deed, and in all respects deal in the matter precisely as I would with a white man. His Excellency's authority is requested early.

I have &c.,
(Signed) R. C. Moody.

The Colonial Secretary to the Chief Commissioner of Lands and Works

Colonial Secretary's Office,
18th June, 1862.

Sir,--With reference to your letter of the 27th ultimo, on the subject of the purchase of a Suburban Lot of Land by an Indian, on the same terms as it could be purchased by a white man, I am directed by the Governor to inform you that there can be no objection to your selling lands to the Natives on the same terms as they are disposed of to any purchasers in the Colony whether British subjects or aliens.

I have, &c.,
(Signed) William A. G. Young.

The Chief Commissioner of Lands and Works to the Colonial Secretary

Lands and Works Department,
New Westminster, 2nd June, 1862.

Sir,--In compliance with the instructions contained in your letter of the 30th May, 1862, No. 650 I have to state that among the items for expenditure for services in progress, is that of marking out and surveying the spots occupied by Indians and their villages and isolated "provision grounds." So far as we can ascertain the latter, they are often in hidden spots, and the Indians (possibly distrusting our statements) are loth to show them.

In carrying out this service I am employing from 2 to 3 Indians, sometimes 4, with the 2 Royal Engineers. The Indians on this special service are peculiarly useful in many obvious ways. The cost will not exceed thirty-five Pounds per month, and I request special sanction for the same until further notice from you. I may

require such aid almost continuously until the end of the season.

I have &c.,
(Signed) R.C. Moody.

The Colonial Secretary to the Chief Commissioner of Lands and Works.

Colonial Secretary's Office.
9th June 1862.

Sir,—I have received and laid before the Governor your letter of the 2nd instant, making application for sanction for an expenditure not exceeding £35 monthly, until the end of summer, for the purpose of marking out and surveying the spots occupied by Indians with their villages and isolated provision grounds.

2. With reference thereto, I am to state that His Excellency would be glad of some further information on this subject, as he was under the impression that the work of marking out (not surveying) the Indian Reserves had been long ago carried out, where requisite, under the instructions conveyed to you by His Excellency on the 5th April, 1861.

3. His Excellency is not aware what necessity may exist for the present survey of these Indian Reserves, but unless the reasons are very weighty, His Excellency would not, under the existing heavy pressure on the resources of the Colony, feel justified in authorizing an outlay to the extent you mention, for it appears to His Excellency that for all present purposes, the marking of such Reserves by conspicuous posts driven into the ground would be sufficient, and that the survey thereof could be postponed until the Colony can better afford the expense.

I have, &c.,
(Signed) William A. G. Young.

The Chief Commissioner of Lands and Works to the Colonial Secretary.

Lands and Works Department,
New Westminster, 11th June, 1862.

Sir,—A question has arisen as to Indians pre-empting lands precisely as a white man could. I understood His Excellency to say that there is nothing to prevent their doing so, provided, of course, they fulfil all the terms required by the Pre-emption Proclamation.

I shall feel obliged by receiving official instructions in respect to the above. Such instructions appear to be very necessary in connection with the progress of the survey of the country, the more so as I understand Indians are pre-empting in "extended order" along the River and elsewhere to considerable extent, and that such extent is likely to increase very considerably and very rapidly.

I have, etc.,
(Signed) R.C. Moody.

The Colonial Secretary to the Chief Commissioner of Lands and Works.

Colonial Secretary's Office,
2nd July, 1862.

Sir,— I am directed by the Governor to acquaint you, in reply to your letter of the 11th ultimo, No. 87, on the subject of the pre-emption of land by the Natives of British Columbia, that it is intended to legislate on this subject hereafter, and provisions will be made for permitting Indians to hold land under pre-emption on the following conditions:—

1st. That they reside continuously on their farms.

2nd. That they build thereon a house of squared logs with shingled roofs, not less than 31 feet by 20 feet, and side walls 10 feet high.

3rd. That they clear, enclose, and cultivate 1st year 2 acres of wood-land, or 6 acres of prairie land.

4th. That no power shall be given to convey such land without the consent of the Governor having been first obtained.

I have, &c.,
(Signed) William A. G. Young.

"Our Canadian Friends," British Columbian,
Oct. 29, 1862.

Page 29, Vol. I.

In 1791 the two colonies of Upper and Lower Canada were created. Most of the people in Lower Canada were French Canadian and the loyalists who settled north of Lake Ontario made up the bulk of the white settlers in Upper Canada. In 1841 these two colonies were united, so until confederation in 1867, the term Canada referred to parts of what later became Quebec and Ontario. It is obvious that Robson refers to Upper Canada in this editorial. There are few references to French Canadians though the majority of the people employed by the Hudson's Bay Company were French Canadian or Metis who worked as laborers and canoeemen.

"To the Editor of the Columbian, Letter from A."
British Columbian, Nov. 26, 1862.

Page 38, Vol. I.

It is generally accepted that this letter was written by the Reverend Arthur Browning, a Methodist preacher who wished gambling to be prohibited in the Colony and was annoyed by Judge Begbie's failure to prevent it from going on.

In the first paragraph he refers to Thomas Elwyn, a magistrate in Lillooet who owned a share in a claim at Williams Creek. In response to an article in the Daily British Colonist of October 21, 1862 advocating that public servants should be prohibited from speculating, Elwyn offered to resign rather than give up his claim.

In the meantime, Governor Douglas, who had passed measures intended to prohibit speculation, sent a circular to all government officials requiring them to give up mining property or resign. As a result Elwyn reluctantly resigned on Dec. 9, 1862.

Judge Begbie reacted with indignation when he received the circular. He admitted that he had advanced money to H. P. Walker to enable him to purchase a mining claim but denied involvement. Governor Douglas accepted the explanation. A week later this letter appeared in the British Columbian. In the editorials and news items which follow, the story of Begbie's reaction and his imprisonment of Robson can be pieced out.

The third paragraph of A's letter refers to a bribe received from Dud Moreland by Judge Begbie in return for a certificate of improvement. Three Americans, George Cox, James C. Wade and D. C. Moreland had pre-empted land at Cottonwood in anticipation of a town developing there as a result of the gold discoveries being made nearby. Lieutenant Palmer of the Royal Engineers wished to reserve this land as a townsite and the Magistrate, Peter O'Reilly, refused to grant a certificate of improvement without the authority of the Governor. When Cox referred the case to court, Begbie ruled that the certificate should be granted and ordered O'Reilly to issue it. This has been interpreted by some to indicate an improper action on Begbie's part but on the other hand he could have been on very firm legal ground for Governor Douglas had ruled in April of 1860 that it was "the duty of the recording officer to accept any record which may be tendered to him." Douglas had made this ruling to prevent magistrates from reserving land for themselves by refusing other claims to it. Magistrate O'Reilly had therefore been wrong in refusing to grant the certificate. The fact that O'Reilly sent an account of his actions to Douglas may be an indication that, although he was a good friend of Begbie's, he was unhappy about the transaction.

It would appear that A. who was at Williams Lake at the time received his information from Moreland so whether or not Judge Begbie received 20 acres of land in return for his services in securing the certificate of improvement is a matter of Begbie's word against Moreland's. Begbie declared that he bought the land for 10 shillings an acre. Moreland, who obviously did not realize the implications, stated that he had given the land to Begbie, which if true, would indicate that it was a bribe.

Sydney Pettit, who explored this incident in an article entitled "His Honour's Honour," in the British Columbia Historical Quarterly of July, 1947, points out that many who knew Begbie well considered him "the soul of honour," and that several of Moreland's statements were inaccurate. He also notes that Begbie travelled great distances and became troubled with rheumatism as a result of his exertions. No living quarters for his personal use were provided on his circuit. It is not surprising that he may have wished to set up his own quarters at his own expense. Twenty acres, he suggests, was not too large an amount of land for him to acquire since he used a train of 12 horses and would want pasturage, space for a barn, corrals and hay fields as well as a house.

"Letter from A"

Pettit comes to the conclusion that there is insufficient evidence against Begbie. In discussing his action in imprisoning Robson, Pettit suggests that the British Columbian did publish material that constituted a libel and the proper action would have been to institute proceedings for libel but there was no court in which such a case could be heard. If Robson had been given longer to prepare his defence, it would be difficult to question Begbie's actions. Pettit further notes that there is no record of Begbie ever attempting to acquire land through pre-emption.

It is unlikely that Governor Douglas would have accepted Begbie's explanations if he did not believe them to be true. Certainly he did not hesitate to reprimand Colonel Moody for his acquisition of large land holdings even though Moody ignored his instructions. This incident gave rise to the description as the Tyrant Judge which Begbie received not without justification. Robson got his own back by becoming something of a hero and martyr and he continued to attack Begbie through editorials and by publishing detailed accounts of the Cranford case in which Begbie played a rather dubious role. Most of the editorials have been included in Vol. I, but because of space the accounts of the Cranford trials have been omitted.

"Misrepresentation," British Columbian,
Dec. 3, 1862.

Page 41, Vol. I.

John Sebastian Helmcken, a young British Doctor, came to Vancouver Island in 1850 to work for the Hudson's Bay Company. Two years later he married Cecilia, eldest daughter of Governor Douglas and his wife. When a legislative assembly was established in the colony of Vancouver Island in 1856, Helmcken was elected to the Assembly and became the first speaker, a position he held until 1866 when a Legislative Council was established after the union of the two colonies. He then became one of the elected members and undoubtedly played an important role in influencing the decision to make Victoria rather than New Westminster the capital of British Columbia. As one of the ablest and most experienced politicians in the colony, Helmcken was one of the delegates sent from British Columbia to Ottawa to discuss the terms of confederation. He refused to continue in politics because of the need to build up his practice. He no longer had an income from the Hudson's Bay Company and since his wife's death in 1865 he had the sole responsibility for raising the four surviving children.

In the late 1880's he began writing his memoirs. These have recently been edited and published and form an interesting historical record.

Donald Fraser sent news from the colonies to the London Times.

Source:—Blakey Smith, Dorothy. The Reminiscences of Doctor John Sebastian Helmcken. University of British Columbia Press, 1975.

"The Land System," British Columbian,
Dec. 24, 1862.

Pages 54, 55, Vol. I.

Robson, in this editorial, reflects his Canadian background in suggesting a division of the country into counties and townships with a survey of base or concession lines. The letter which appeared on Jan. 10, 1863 (Pages 60,61, Vol. I) answers some of his arguments and supports the land policy.

The responsibility for developing land policy rested with Governor Douglas. He had been instructed by the Colonial Secretary, Sir Edward Bulwer Lytton, to make the colony self-supporting as soon as possible. He was instructed to open lands for settlement gradually, to sell only surveyed land, to demand prompt payment and to use the revenue for survey and communication. In order to encourage settlement he was instructed to grant naturalization to all who asked for it and then to grant the right to acquire public land to those who took the oath of allegiance.

Douglas found it difficult to require high prices and prompt payment if settlers were to be encouraged and so he opted for encouraging settlement by offering low prices. He also hastened settlement by allowing the acquisition of unsurveyed agricultural land to the extent of 160 acres on the condition that the pre-emptor settle and improve the land immediately and pay 10 shillings an acre when the survey was completed. Pre-emptors could acquire further land at the price of 10 shillings an acre. The principle established was one of "beneficial use" and was gradually applied to any claim--land, mineral, or timber, to water rights and coal leases. It was intended to prevent speculation, to encourage those who would develop the natural resources of the country and thus benefit not only themselves but also the treasury through duties, taxes and royalties.

Douglas had little in the way of precedent to follow. He had many problems in raising the revenue needed for road building, surveying and providing the many services needed by miners and demanded by settlers. In Chapter One of his book entitled Land, Man and the Law, Robert E. Cail deals with some of Douglas' difficulties and with the soundness of the principles he developed as the basis of his land policies.

Source:-- Cail, Robert E. Land, Man and the Law. University of British Columbia Press, 1974. (First presented as an MA Thesis at the University of British Columbia, 1955.)

"The Royal Engineers," British Columbian,
Feb. 25, 1863.

Pages 68, 69, Vol. I.

The following excerpt from Governor Douglas' correspondence may be of interest.

The expense of the Royal Engineers is overwhelming, if relieved of that costly ornament we should be better able to cope with the other difficulties. I have no complaint to make of the Corps, but their pay and allowances and charges of various kinds are far higher than they ought to be, and added to these the families of the whole detachment, both officers and men, are continually on the increase, and all are supported at the public expense. The disbursements for the Corps, on Colonial account for 1862 exceeds £ 16,900 against works executed by them, valued at £ 3,500. The Royal Engineers are to British Columbia what the old man of the Sea was to Sinbad, with this aggravation, that H. M. Government helped to fasten the burden on the Colony and I have no power to relieve it. Might not his Grace be induced to move the War Department to sanction an immediate reduction of the force of the Detachment by discharging men with large families who wish to settle in the Colony; this I am given to understand would please the men and at the same time relieve the public of a heavy charge.

Colonel Moody does not object to that measure, though he may with the Military furore that marks the soldier really desire to add to rather than detract from the small force under his command. Revenue which is vital in our circumstances, can never be materially increased until the Colony is opened by roads and dotted with the habitations of a civilized and industrious people, and every curtailment of unnecessary expense helps to forward that object.

I shall bring this matter officially under His Grace's notice as soon as certain returns which I have requested from Colonel Moody are received, and then suggest measures of relief.

Source:--Governor's Private Official Letter Book, April 17, 1863.
As quoted in Sage, W. M. Sir James Douglas and British Columbia.
The University of Toronto Press, 1930. Pages 299-300.

"That One Colony May Flourish,"
British Colonist, Mar. 2, 1863.

Pages 70, 71. Vol. I.

Amor de Cosmos was editor of the British Colonist from the time he founded it in 1858 until October, 1863. He, like John Robson, was a fierce opponent of James Douglas, but as this editorial reveals he was also a strong supporter of Victoria.

In order to help you assess the disputes between Victoria and New Westminster and gain more background information about the founding of the "Royal City," additional material follows.

The first item is Governor Douglas' explanation of his reasons for choosing Derby (Old Langley) as the capital of the Colony. It has been suggested that he wished to make Derby the capital in order to provide an advantage for the Hudson's Bay Company which owned large amounts of land close by. It is important to realize that when the first prospectors poured into the Fraser Valley in 1858, Fort Langley was the only place in the lower Fraser Valley where supplies could be purchased or where land had been cleared. A tent city rapidly developed in the area. Douglas' decision would have made building lots available quickly, easily and cheaply.

The second item is an account of a public dinner in New Westminster at which Colonel Moody made a speech in which he dealt with his role in choosing New Westminster as the capital. This item from the New Westminster Times of Sept. 22, 1860 and the reaction to it by the editor of the Daily British Colonist in the issue of Sept 26, 1860, should provide you with further background information.

Douglas did not dispute Moody's decision to move the capital to New Westminster. One reason was undoubtedly the fact that although Douglas as governor was the final authority in the colonies, this was an area in which Moody had authority. Douglas, with his long experience in the Hudson's Bay Company had learned both to obey and to command.

It is also important to realize the fear of the United States during this period. Douglas had experienced the aggressiveness of the American government during the period which preceded the Oregon Boundary settlement. Although a settlement was reached in the Oregon Treaty of 1846, parts of the boundary remained in question. In 1859, an American settler on San Juan Island found a pig destroying his garden and shot the animal which had wandered away from the farm maintained by the Hudson's Bay Company. When the company demanded compensation, General W. S. Harney sent a detachment of sixty American soldiers to San Juan Island to protect the American settlers there. Douglas, in turn, dispatched two warships from Esquimalt and H. M. S. Plumper from British Columbia to prevent further landing of Americans. Rear Admiral R. L. Baynes, commander of the Pacific Squadron refused to land troops as Douglas wished and his decision was approved by the British Government. Douglas' action at this time and his wish to settle the island in order to retain it as part of the British colonies, are an indication that he would not quarrel with Moody's concern to find a site suitable for defense.

NEW WESTMINSTER TIMES, Sept. 22, 1860.

On Tuesday evening last a public dinner was given at the Colonial Hotel, by the merchants and citizens of New Westminster to the Captains of the barques Vickery and N. S. Perkins, to commemorate the established fact of the practicability of the largest description of merchant vessels reaching New Westminster with the utmost ease and safety. Among the invited guests were Col. Moody, R.E., Capt. Grant, R.E., Captains Callot and Bunker, of the barques Vickery and N. S. Perkins and Messrs. Titcomb and Broderick, the Fraser River pilots. After due justice had been done to the excellent viands which Mr. Prosper Grelley knows so well how to supply, the usual standard toasts were drunk, including the President of the United States. Next in order came the health of Col. Moody, who in response said he felt proud at being present on such an occasion. He strongly advocated direct communication with San Francisco, and condemned the attitude of Victoria with regard to New Westminster. Victoria had her due mission to fulfil, and so long as she devoted herself to that mission her career would be prosperous; but if she should continue to look upon New Westminster with the eye of an envious rival, and strive to obtain that which does not naturally belong to her, she will only create a feeling that will defeat her warmest hopes. Commerce has its geographical boundaries and channels and no artificial power can long restrain it from following its natural avenues. A most important point in this connexion he wished to bring before the notice of those present. In laying out the site of the town he had two objects in view--commercial and political--and he believed that the occasion of the present meeting fully justified the course he had taken in choosing this site, and made ample amends for many an anxious thought. The Colonel enlarged on the benefits of Representative institutions, stating that in him they had a constant advocate, and sat down amidst much applause.

The healths of Captains Callot and Bunker was next proposed, who in a few and appropriate remarks feelingly expressed their sense of the honor that was done them, and only hoped that commerce would call them back more frequently to this port.

"The Civil Service of the Colony," was next proposed coupled with the name of John Cooper, Esq., of the Treasury, the senior officer present, who most suitably replied.

"The road-maker of British Columbia," was drunk with much applause and responded to by Capt. Grant.

"The trade, commerce, and the port of New Westminster" was then proposed and was duly responded to by Messrs. Wright and Homer after which

"The health of the pilots," responded to by Mr. Titcomb, who, in returning thanks for himself and brother pilot, stated that the difficulty represented by the Victoria correspondent of London Times was a regular bugbear. He was gratified to state that vessels drawing 20 feet of water could cross Fraser River bar with ease and safety, and without risk to the owners. He should only be too glad if the merchants of New Westminster would charter one of this dimension, when he would stake his existence on bringing her up without scratching her bottom--steam tugs being unnecessary. He further entered into a detailed account of his knowledge of the channel of Fraser River, suggesting several necessary improvements to enable any one to enter with or without a pilot.

"The Municipal Council" was responded to by Mr. Councillor Armstrong, in a neat speech.

"The foreign residents," responded to by Mr. Elsesser.

"Mrs. Moody," the Colonel returned thanks.

"The Ladies"--Mr. Holmes responded.

"The legal profession," was acknowledged by Mr. Walker.

"The pioneers of New Westminster" was then drunk, and Mr. Scott, the old pioneer, returned thanks.

"The Press," was replied to by Mr. Armstrong, in the absence of any member thereof.

The company then separated.

New Westminster Rivalry

The New Westminster people have lately been thrown into a high state of excitement by the arrival there of two vessels with four hundred and ten tons of merchandise. Nothing less than a public dinner would satisfy the magnates of the village. Congregated around the festive board, were a fair sprinkling of the elements of its prosperity; and among the guests no less a personage than the founder of the "city" himself—Col. Moody. Whilst the exhilarating influence of the grape was making itself felt the gallant founder descanted on the brilliant future of which they were now celebrating the dawning—pictured the noble Fraser studded with the rich argosies of commerce—charming himself anew with the strategical position of the camp,—and fired off considerable buncombe, to the great delight of all present. So sudden a fraternization of pipe-clay with fustian to pour broadsides into Victoria for being the "envious rival of New Westminster," could not but be received as a happy escape from torpidity. Nevertheless the grand demonstration making the welkin ring, and elevating the village magnates an inch higher in their shoes has not yet made Victoria quake for its commercial pre-eminence, but in its effects will prove as harmless as a grand display of fire-crackers in honor of a Chinese Josh. Even the visionary spirit of the Commissioner of Lands and Works predicting the downfall of Victoria should she continue to look with the envious eye of a rival on New Westminster," we apprehend to be nothing more than "the baseless fabric of a vision. Were it true, we would certainly advocate the institution of the office of State fortune-teller; and in that case representative institutions would get the go-by. But like all prosperous communities, we suppose Victoria has its envious rivals, but we know no place that has so little to fear as it has from New Westminster.

We certainly can have no reason but to be pleased at any success of that upstart village. In fact we wish it every success. Yet we see no grounds in the arrivals of these vessels with freight at money sinking rates for New Westminster to imagine that it will ever be anything else but a secondary place to Victoria. Its most sanguine advocates never imagined anything else. We certainly would not like to see its trade hampered, but would prefer it should be allowed to have full swing. It has had a chance, however, for a year and a half to prove its superiority and it is scarcely one whit ahead of what it was when the Customs were first established. New Westminster cannot show any drawbacks that the "envious eye" of Victoria has produced since then. If it has any vitality, then why has it not shown itself before? It is simply this: The geographical position of Victoria is such, that it is the distributing point for other places than British Columbia. Scarcely forty per cent of our trade goes up Fraser River. The balance—sixty per cent—either finds a market on the Island or in Puget Sound. With such a balance of trade against our enterprising rival, we are not likely to be outstripped in the race for commercial supremacy by a place that has only one market for its merchandise. But vessels can come here, discharge their cargoes, go to Puget Sound for a cargo of lumber, and if favored with fair winds, return to San Francisco before they could go to Westminster and back here. The navigation of the Arro archipelago is very difficult for sailing vessels. There is no disguising that fact. Say what you will—allow that a ship drawing twenty feet of water may safely cross the bar at the mouth of Fraser River, still it is dangerous navigation, and it is tedious also. On the average, it will take ten days from the time a sailing vessel leaves the offing of Victoria harbor bound to

New Westminster for less than \$150 to \$200 each. Of itself the pilotage is equivalent to a dollar a ton; and if double time is taken in making the voyage from San Francisco, with the extra risk of insurance, it nearly doubles the freight. It is no use urging the low freight of the Vickery and Perkins, for it is well known that the charterer of one of these vessels must have lost at least five hundred dollars by the venture. It is not likely therefore that such losing transactions will be repeated very often and what is more they are very poor grounds for a port to base its hopes of prosperity on.

We fully expect to see New Westminster a thriving little town. There must in the nature of things be a port at the mouth of Fraser river. But should it even become a place of note, Victoria will become of much greater importance. Already the centralization of capital gives us a commanding position over every other place north of San Francisco. Whilst New Westminster has been at a standstill, Victoria has been making gigantic strides. So, the idea that we are envious is perfectly preposterous. Commercial men and capitalists have confidence in our future; and the rapid growth of the town, with the erection of costly brick and stone dwellings, warehouses and stores demonstrates that confidence and the success that crowns it far better than can be done by any after dinner speeches for our upriver neighbor.

"The Election" British Columbian,
Oct. 7, 1863.

Page 94, Vol. I.

Before Douglas retired he made arrangements for a Legislative Council (See Ormsby p. 193.) This is a newspaper account of one of the elections for the five elected members.

"The Dinner to Col. Moody," British Columbian, Page 97, Vol. I.
Nov. 7, 1863.

Colonel Moody tells you a great deal about himself through his speeches. Some additional material may be useful. In the following pages you will find the instructions he received when he was sent out to the colony. Next are some excerpts from Mrs. Moody's letters. These letters have fairly recently been donated to the Provincial Archives by relatives. James Nesbitt published some extracts in the Victoria Colonist and we have reproduced these for you. Colonel and Mrs. Moody had fourteen children, eleven of whom survived childhood. Two of these children were born in the three year period they spent in British Columbia.

Following Mrs. Moody's letters you will find an excerpt from the Douglas papers in which the Governor states his opinion of some of the men who worked with him.

Next are excerpts from correspondence between Douglas and Moody re the plans for New Westminster and finally some details about the early settlement in the capital of British Columbia.

A copy of a despatch from Douglas to the Duke of Newcastle in which he reports on the establishment of a Municipal Council in New Westminster follows.

PAPERS RELATING TO BRITISH COLUMBIA.

73

No. 33.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

BRITISH
COLUMBIA.
No. 33.

(No. 35.)

SIR, Downing Street, November 1, 1858.
WITH reference to my Despatch, No. 22, of the 23rd September*, I transmit herewith, for your information, a copy of the Instructions which I have addressed to Colonel Moody on the eve of his departure to assume his duties in British Columbia.

* Page 66.
Enclosure.

Governor Douglas,
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

Enclosure in No. 33.

Enclosure in
No. 33.

- SIR, Downing Street, October 29, 1858.
1. I THINK it will be for your satisfaction if I endeavour to reduce to writing, by way of General Instructions, the outlines of that policy for the new Colony of British Columbia which your services, I trust, will assist to develope.
My views as to the uses of a purely military force, in the commencement of a Colony like the present, I am happy to believe are in accordance with your own.
 2. I would, at the earliest period, impress upon the Colonists the distinction between disorders arising from internal riot or disturbance, and the dangers that may threaten from foreign aggression.
 3. In the first, it is not only the duty, it should be the pride, of a youthful and vigorous community to find means of defence within itself. The consciousness that it is compelled to do so engenders a brave and resolute spirit amongst the immigrants, and serves to bind man to man against turbulence and crime, by the sense of the common safety. I will even add, that where a society finds its best safeguard in the habitual reverence for law, and cannot, in every emergency, appeal to the armed force of the Parent State, a high moral tone of sentiment and opinion becomes silently formed, and even lawless and vehement natures are brought into the calm social compact by which the public interests mould the national character into respect for the laws that preserve hearths and property, and for the qualities that command others without the resort to force.
 4. Nothing can be more likely to sap the manhood and virtue of any young community than the error of confounding the duties of soldiers with the ordinary functions of a police. Nevertheless, though soldiers do not constitute a police, there are few societies in which the authority of the civil power is not more respectfully obeyed where it is understood that against disorderly force there is always in reserve the unflinching aid of military discipline.
 5. In a Colony like British Columbia, in which it is reasonable to assume that the first immigrants will be men too accustomed to danger to be daunted by the menace of force, but too eager for gold not to respect the means by which gold, when obtained, is secured to its owner, soldiers will be popular in proportion as the strength which they afford to law is tacitly felt rather than obtrusively paraded.
 6. No soldiers are likely to be so popular as Royal Engineers; partly, let me hope, from their own military discipline and good conduct; partly from the very respectable class which they represent; partly from the civil nature of their duties in clearing the ready way for civilization. Thus, if not ostentatiously setting forth its purely military character, the force at your command will nevertheless, whenever occasion may need its demonstration, do its duty as soldiers no less than as surveyors. And I need not add that, should the Governor require your assistance in your military capacity, you will render it as freely as if no civil services were attached to your mission. But while the Colonists should be taught the necessity of providing against internal disturbance,—while they should learn to rally round the law, and create themselves the machinery for giving that law its ordinary effect,—on the other hand, they must not be left to suppose that against external aggression Great Britain would not render them the aid due to the dignity of her Crown, and the safety of her subjects in every part of Her Majesty's Dominions;—for wherever England extends her sceptre, there, as against the foreign enemy, she pledges the defence of her sword.
 7. It will also be borne in mind that in a Settlement which is surrounded by savage tribes, while sound policy will dictate every effort to conciliate the goodwill and confidence of such uncivilized neighbours, and while humanity will shrink from the application of armed force against the aborigines wherever it can be avoided, yet some military

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strength and disciplined organization are essential preservatives to the settlers; and indeed a resort, when needed, to soldiers, well commanded, will be attended with far less loss of life, with actions far less sanguinary, than where the white man is left to defend himself against the red, without that decided superiority which is conferred by military skill over savage force. In such conflicts the want of discipline is the want of mercy.

8. You will hasten to inform yourself of the true social circumstances of the community thus neighboured by Indian tribes, and containing in itself adventurers of all nations, and will faithfully report to me your impressions as to the expediency of a greater or a different kind of military force sent from this country than that under your command, and the probability of keeping such a force free from desertion, and steadfast in discipline.

9. At present it is my belief, as I understand it to be your own, that additional military force as against Indian aggression, or for the preservation of order, could be most economically and effectively raised on the place itself and amongst the immigrant population, whether as volunteers or militia under British officers, for a limited period or in anticipation of any sudden danger. But I must submit the accuracy of that belief to your military and Colonial experience on the spot, in connexion with the advice of the Governor.

10. It seems, meanwhile, a good augury of the co-operation of the Colonists in all measures demanding public spirit, that miners themselves are constructing a road, of which seven miles are completed,—that they organized themselves into bands under leaders,—thus recognizing discipline as the element of success in all combined undertakings. Each miner thus employed deposited with the Governor 25 dollars as security for good conduct. I need not add, that a Governor who could thus at once inspire confidence and animate exertion must have many high qualities which will ensure your esteem, and add to the satisfaction with which you will co-operate with his efforts.

On this subject I am bound, in justice to both parties, to guard against any risk of misapprehension as to your respective duties and powers. Whilst I feel assured that the Governor will receive with all attention the counsel or suggestions which your military and scientific experience so well fit you to offer, I would be distinctly understood when I say that he is, not merely in a civil point of view, the first magistrate in the State, but that I feel it to be essential for the public interests that all powers and responsibilities should centre in him exclusively. Nothing could be more prejudicial to the prosperity of the Colony than a conflict between the principal officers of Government.

11. In reference to the Civil Department of your duties, your first object will be to commence the operations necessary for the land sales, by which the expenses of survey are to be defrayed. You will consult with the Governor as to the choice of sites for a maritime town, probably at the mouth of Fraser's River, and for any more inland Capital to which the circumstances of the territory will suggest the most appropriate site.

12. You will not fail to regard with a military eye the best position for such towns and cities, as well as for the engineering of roads and passes, or the laying the foundations of any public works.

Experience on the spot will best guide you as to the most economical distribution of the work by the force under your command. All that belongs to comprehensive survey and public works must belong to the labour of the Royal Engineers. But the ordinary fillings in of allotments for sale had better, perhaps, be executed by contract, and in order to prevent additional burthen on Colonial revenues, it would be well that the cost of survey in allotments be added to the price of them, and each individual thus purchase his land surveyed and cleared.

13. I need scarcely add, that it will be among your first cares to smooth the difficulties of communication by land and water. If you can at slight cost render the Fraser River navigable to a further extent than it is at present, you will direct your science to that object.

14. *Cæteris paribus*, it probably would be better to keep Vancouver and British Columbia under separate Governments; but geography and circumstance are imperious dictators, and control the theories by which, at a distance, we would map out commonwealths and restrict territorial divisions; and therefore I would have you thoughtfully consider both the safest and readiest modes of access to British Columbia from the Pacific, and the several relations between British Columbia and Vancouver's Island indicated by nature and probability.

15. You will further report upon any harbours which exist on any part of our coasts, or any natural facilities which exist for their construction.

16. You will remember that gold is not the only mineral in which British Columbia is said to be rich. You will examine and report to Her Majesty's Government upon all its other mineral productions.

17. You will ascertain the real value of the coal for all purposes of steam communication, both in British Columbia and Vancouver; not only its quality, but the easy working of its mines; whether the coal lies deep or near the surface; whether mining operations are likely to be impeded by much water, bearing in mind that in coal, as in all else, the product is to be estimated by the degree and cost of labour which the supply may necessitate.

18. In this, as in all the mineral products of those Districts, I entreat you to form the most dispassionate and careful judgment, and rather to own ignorance or doubt than ever to allow yourself to be misled by reliance on untested statements. The more ordinary resources of the Colony, in fisheries, in timber, in the various soils, and the extent of them, favourable to agricultural produce, will command your attention, and contribute materials to your reports.

19. With the United States of America so close on the frontiers of the Colony, and their citizens mingled amongst the immigrants; with the Indian tribes, not as yet unfriendly, nor indocile when kindly treated, but thievish by habit, and maddened by the least indulgence in ardent spirits; with a population of settlers in itself so varied and shifting in its character, I need not point out to you the grave necessity of impressing on your officers and men the duties of self-restraint, of forbearance, good temper, and the discretion which avoids provocation and offence.

I would commend to you emphatically the noble art of conciliating varieties of human kind, with the essential concomitants of dignity, sincerity, and firmness. This art, which is amongst the rarest and happiest attributes of statesmen in old societies, is comparatively easy, because more vitally necessary, to those who are called upon to aid in reducing to harmony and order the manifold elements of a new community.

20. I would especially have you use your influence with the men to abstain from drink in a country where intoxication is not unlikely to be a common vice, and by soldierly bearing and respectability of conduct to maintain the high character of that part of the English Army from which they are drawn.

21. You will come in contact with Germans, Frenchmen, Americans; with many who may, perhaps, have prejudices against English institutions and the English character. Most of these prejudices will vanish when they who entertain them are brought into familiar acquaintance with that union of energy and prudence, of the devotion to duty, which Englishmen so quietly blend with the attachment to freedom; and the spirit of loyalty, truth, and upright dealing, which signalize the brighter, and, I believe, the larger, portion of our national character and race. But if those qualities be common to all classes of our countrymen, at least they become more manifest and attractive when set forth with that courtesy, high breeding, and urbane knowledge of the world which dignify the English gentleman and the British officer; and I anticipate no small advantage towards stamping our native idiosyncracies on a Colony which may comprise so many foreigners, and promoting a high social standard of civilization, from the fact that yourself and your brother officers are amongst its practical founders, and cannot fail by the nature of the civil services you render to be brought into frequent and friendly communication with all classes of settlers.

22. I trust that you will work in perfect harmony with the Governor; and that his experience of the localities and of the character of the native population, with your own professional science, will combine to expedite the progress and develop the resources of the Colony.

23. You will not forget the caution I have so strenuously impressed on you in our conversations, viz., that it is a duty we owe to the Colony itself to hazard no large outlays and incur no unnecessary expenses until an adequate Revenue be raised and secured.

24. At the very sound of a Gold Mine avarice and extravagance awake together, and to all the suggestions of rational prudence there is the vulgar outcry, "the gold pays for all." Now as the mother country expects all Colonies not conquered nor founded for purely Imperial purposes to be self-supporting, and as in this Colony she has more than ordinary reason in its mineral resources to do so, nothing could be more unjust to the infant settlement, more retard its prosperity, or lay seeds of more fertile discontent, than to saddle it prospectively with any financial burthens, not needed for safety and healthful development, while its Revenues yet remain a matter of speculation.

25. It must be some time yet before immigrants will be permanently settled, Customs' duties, &c. regularly established, and land allotments sold to any considerable extent;

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and the cost of survey itself in the Colonial pay of the Royal Engineers, &c. is the heaviest and almost the earliest item to which the resources of the Colony should be devoted. All augmentations of the expense thus calculated should be sedulously avoided.

26. I have already explained to you personally (as I have informed the Governor), that it is my desire to see established in British Columbia as early as the state of society will permit free Representative Institutions; but premature or precipitate action in such a case only weakens the object we have in view; and if the fabric is to be lasting the foundations of self-government should be laid with care. All regulations affecting an electoral franchise should be framed so as to suit the special community on which they are brought to bear. I should feel obliged by reports, as the result of your own unbiased opinions, as to the nature, habits, and conditions of the immigrant population; the degree to which education exists; the probabilities of settled residents, and cultivators of the soil, as distinct from casual adventurers, or the inhabitants of a seaport town; with such remarks, confidentially given, as may guide the judgment of Her Majesty's Government in the frame-work of a constitution which will secure tranquillity and order as the only genuine safeguards of popular freedom. These reports, with any other you may remit to me, will be sent, of course, through the Governor.

I have, &c.

Colonel Moody, R.E.
&c. &c.

(Signed) E. B. LYTTON.

FRESH GLIMPSE OF VICTORIA LIFE ... a Century Ago

It was Christmas Day of 1858 in Victoria, the capital of the British Crown Colony of Vancouver Island. There arrived that day, in the harbor of Esquimalt, the steamer Panama from San Francisco.

Eager to step ashore at Esquimalt were Col. and Mrs. Richard Clement Moody, ending an eight-week journey from England, via New York and the Isthmus of Panama.

Though she must have been tired, Mrs. Moody wrote immediately to her mother in England.

Fortunately for our history her letters were saved in England and have now been presented to the Provincial Archives by a Moody relation in England. They give us a new and fresh glimpse of life at Victoria and New Westminster more than a century ago. They have now been transcribed from the longhand by archives calligraphy expert Winnifrieda Mackintosh.

Mrs. Moody described her first day in this area: "I was going to say 'here we are on dry land at last,' but such is not the case—we arrived in Esquimalt harbor this morning—Richard immediately went off to see the Governor (James Douglas) and also to see what he could do for us as to a house, so we all remained on board the Panama. Capt. Richards of HMS. Plumper came on board to see us, and begged me to go with all the children on board his ship, where we could have a fire and something to eat and drink. This we accordingly did, and were very comfortable for four or five hours."

After a few days Mrs. Moody "called at the Governor's—he is a very polite, agreeable sort of man—he and Richard will, I trust get on well.

"We saw our new house, which does not look inviting; however the Governor has promised to have it 'fixed' for us, and I trust ere long we may be more comfortable. One advantage of the house is that there is a great deal of wooden pavement immediately in front of it, where the children can walk up and down, for the roads are filthy.

"Victoria is a much better place than we expected, and very, very pretty—the fir trees come down to the edges of the shore.

"The children's colds are better; Charlie still coughs a good deal, but the weather is mild and we must hope he will soon get stronger, and fatter, poor boy, for he is miserably thin.

"There is such a funny, wooden church at Victoria—just like a pepper box on the top of a hill. (This was the first Christ Church Cathedral where the Law Courts building is today.)

"The governor has a very nice garden, with gravel walks, which look quite clean. He gave us some roses, and some splendid apples.

"We have had a sad Christmas—one recalls past days which have gone forever. We are still sure we have done right in coming out en masse."

In February of 1859 Mrs. Moody again wrote to her mother: "This is dearest Richard's birthday, so we have had a holiday, rather an event.

"Capt. Prevost sent his boat up for us and took us to Esquimalt, and we boarded the Satellite, where we had luncheon. Then the boat took us to pay sundry visits around the harbor.

"We walked home through the mud—the roads are dreadful.

"We have had plenty of visitors—Richard is now chatting to a Mr. Crease, a nice sort of man, come out to try and establish himself as a barrister—he is going to bring out his wife and bairns, he is doing so well.

"We have plenty of visitors—the other day we had 25, rather too many. There is a great want of ladies, and those there are so occupied at home that one seldom sees them.

"Two more men of war have come into the harbor, so that we are quite gay, and 150 marines are daily expected in the Thames City."

Mrs. Moody gives us a new slant on the personality of James Douglas: "There are no barracks put up for them (the marines) yet, the Governor is such a dilly-dallier, if you know what I mean."

"Richard and the aforesaid Mr. Crease are talking so much, on all subjects, that it is almost impossible for me to write."

"This is a dreadful gossiping place — you can't walk across the street without everyone knowing, and commenting on it."

"We don't get to bed sometimes until 11 o'clock — people talk so late here, and I get up at 7 o'clock."

"We bought a cow at San Francisco, and have been most unfortunate in losing her — she was too near calving when she had the voyage, and has never been well. We have great difficulty in getting milk at all, so we must try and get another cow."

"If the Bishop (George Hills) has not sailed when you get this, I should strongly recommend Miss Hills to bring out a female servant, as she can get nobody of any description out here. Kitty and Mrs. Gossett's nurse are positively the only two women servants in the place."

"Now, I really think Mr. Crease ought to go home to bed, it is getting late, and we ought to be in bed, too. I must stop writing at any rate, for I am very sleepy."

To this letter Mrs. Moody added a P.S.: "There is a very nice man here as sheriff — a Mr. Heaton — he is some relation to Lord Derby, and we see a good deal of him. Once More — 'good night' — I wish Mr. Crease would say the same — but he stays on and talks."

The daily doings in Victoria were, at least once a week, written about by Mrs. Moody in her letters "home" to England: "I have not been out today but yesterday was nearly blown away on the top of Beacon Hill, looking out to sea; I had to hold on by the beacon."

"Richard is dining with the Governor, so I am alone tonight — I am going to send to New York for a sewing machine — you can get no sewing done here — we know a gentleman who is returning from New York to San Francisco who will bring it there for me, and forward it by the steamer, so I shall have no expense with bringing it."

Col. Moody, one fine day, stopped one of his wife's joys, and she wrote about this to her mother: "You can't send us too long letters — the least trifle is invaluable here, I assure you."

"I used to have a good cry every time your letters came, but Richard did not approve of my crying every fortnight, so I have had to give it up."

In the meantime, the Moody family was preparing to leave Victoria to live at Queenborough, on the banks of the Fraser River.

Mrs. Moody wrote home: "I am quite looking forward to 'titting' up to Queenborough. I quite enjoy the idea of 'roughing it in the bush,' and we have the whole of the summer before us."

"Richard is at Queenborough a lot. It is very tiresome to be so much alone here, though everyone is very kind, and I feel quite ungrateful when I wish to be gone."

Mrs. Moody wrote of the social doings: "The ball went off most satisfactorily. I had a bride (Mrs. Spalding) to dress here, as their house is a long way off in the mud."

"She wore white poplin trimmed with scarlet

geraniums and wreaths the same. Smart for Victoria, I guess."

"However, I hear all the ladies were very well dressed."

"The Governor was most desirous for me to go; however, I would not go without Richard."

"And I was very glad he happened to be away, for it would have been a great bore for me to have gone. I can't imagine how the girls here have learned to dance. The gentlemen say they dance very well."

"I was out to dinner the other day, at the clergyman's, Mr. Cridge; she is a very nice person — the Crickmers are still staying there."

"Mrs. Cridge has three boys, and as she has only a girl of 14 to help, you can fancy she has her hands full — still, she finds time to be kind to everybody, and is always glad to see one when one goes in. His sister, Miss Cridge, manages the cooking and housekeeping."

"Poor Charlie is still very shy, he does not get reconciled to strangers at all. He generally cries directly anyone comes in."

Mrs. Moody, for what reason we know not, grew cool towards James Douglas. She wrote to her mother: "I had a visit from the Governor today — he frequently comes in for a few minutes. I don't get over his formal politeness at all. He certainly is not 'the right man in the right place.' I do wish they would send us another, or make Richard the governor. I should not object to that!"

By May 18, 1859, the Moody family had arrived on the mainland and Mrs. Moody wrote from aboard the Beaver "in Frazer's River."

"We were really very sorry to leave Victoria, where everyone had shown us so much kindness. The last three days were spent in packing, and wishing everyone 'goodbye.'"

"The H.B. Company placed this steamer at our disposal, so we are travelling quite luxuriously — nobody on board but Mrs. Cochrane and her baby, and Mr. Burnaby and two other gentlemen."

"Everyone came to the wharf in Victoria to see us off, from the Governor to the butcher and bell man!"

"As we were passing the fort a salute of 13 guns was fired in compliment to Richard — so that altogether we were well treated on our departure. Capt. Prevost, Mr. Beggie, Mr. Burnaby and others were with us all the morning helping to pack and to look after the children."

"Capt. Prevost himself carried Charlie on board; he was very sorry when we left, and I shall miss him terribly, he is such a charming companion, so cheerful and so good."

"The Friday before we left we had a most delightful day. Capt. Prevost came for us in his boat and took us to Esquimalt, where he had a nice hot luncheon under the trees. We then had a long walk to call on some people, who live in the very prettiest house in the country. These sort of holidays we always enjoy most thoroughly."

Mrs. Moody very much liked a certain gallant naval officer: "Capt. Prevost is still away — we miss him so much; his constant visits were quite a treat."

"There is some vague idea of Mrs. Prevost coming out again. I am most anxious to see her, but don't fancy her to be the equal of her husband. She is, I expect, much more clever, a thing I very much dislike."

Mrs. Moody took an interest in politics. I would think she kept her views to herself, except when she wrote to her mother: "The country is very dull just now. Everybody looks dull, grumbly, and gloomy. Nor do we think matters can or will improve under the present government — I do not like to say Governor — he is naturally a very weak man, easily led by those around him, who, unfortunately, are not the wisest advisors. Settlers, miners and all classes are leaving the colony. I know nobody who does not regret having come out here."

"Many return by the next boat. Had I been in travelling condition I am sure Richard would have left by the next steamer after Christmas day — at least he says so."

Mrs. Moody wrote of the social doings in New Westminster: "We dined out, in the town, at the custom house, with Mr. Hamley and the Spaldings."

"The Governor, Richard, Capt. Parsons and Dr. Seddall were there. We all went down in the boat and really, as we told Capt. Parsons, he ought to be very glad to have such a good dinner only nine months after having lived on the same spot, and having had nothing but salt pork and bluejays."

"The Governor has been staying with us for the last week — he has been very pleasant and agreeable, but one does not feel any dependence on him in any way."

A child was born to the Moodys in New

Westminster, and Mrs. Moody, in January of 1860 wrote to her mother about preparations for the christening: "I am very busy 'cobbling' up a hood for the little one. As you say, 'necessity is the mother of invention' — I managed famously — I found the dirty hood that Charlie and Walter wore, so I sent to Victoria for some clean silk for the lining."

"I found some nice satin ribbon, which I made into an inner and outer ruche, made up a clean, fresh cap, new hoodstrings, washed the white Shetland veil, and I assure you it looks very respectable."

"Then, instead of a cloak, I found a large square of thick, warm, fine flannel, which I have

bound with a piece of blue delaine, and it looks quite fashionable."

"Mrs. Grant has sent to San Francisco for a cloak and hood, but I really thought it absurd, and should infinitely prefer a new coat and hat when I get to England."

"Capt. Prevost is to be the godfather."

(Mrs. Moody's letters will be continued and we will see how she played hostess to Jane, Lady Franklin, and how she grew tired of the visits of His Excellency the Governor and His Lordship the Bishop.)

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Mrs. Moody's Letters

The Queen's birthday celebration was a big day. Mrs. Moody told of it: "The governor (James Douglas) and the bishop (George Hills) were both here staying with us. The governor chartered a steamboat for the day and invited all the principal people in the place to have an excursion to the Pitt Lake, about 40 miles up the river.

"Of course, they all wanted Mrs. Grant and me to go; however, they did not succeed in inducing us either to take the children, or to leave them. Mrs. Spalding took her baby with her, but she is not so particular as we are.

"They all left here about 10 a.m. and did not return until 7 p.m. It was a long day for them; however, everybody seemed delighted with their trip.

The governor made himself very agreeable. Richard had to propose His Excellency's health at the dinner, rather a difficult task. However, he seems to have got out of his difficulty pretty well. I was very pleased they were all away, as it saved me the trouble of having them all to dinner."

"Mrs. Bonson, my cook, left me a fortnight ago, and now I have a corporal of sappers in her place; he is a very nice, clean, good man and does very well, and as we are going to try and have fewer people staying with us, we should not require so much cooking."

Poor Mrs. Moody — little did she know. The Moody place in New Westminster seems to have been a regular roadhouse. The governor and the bishop would stay nowhere else, and one day a titled English lady came to stay with the Moody family.

Mrs. Moody constantly mourned the scarcity of female company, and in a letter to her mother she said: "We are likely to have some more ladies here in the autumn; Mrs. Gossett is talking of coming, and Mr. Bushby is supposed to be going to marry Agnes Douglas, the governor's daughter, and they will live here. However, we shall not see much of them, as their houses will be down in the town. It is one mile off, and I am getting so old that I can't walk so far in hot weather!

"We like the bishop very much; he is so gentle, pleasant and agreeable, and I do not think he is nearly as High Church as some of his curates. He has paid us two visits of 10 days each, and every day we like him better."

For some reason not clear, Mrs. Moody grew to dread the visits of Governor Douglas.

She put it this way: "We are threatened with a visit from the governor just now. I am getting very cross that both the governor and the bishop continue to come to us whenever they visit this colony.

"The governor calls this Government House, which it really is not, and comes here as a matter of course, which is a nuisance.

"I had quite a fright this morning. Walking out with baby I met Capt. Luard who told me the gunboat arrived, and the governor was aboard. You can fancy what a reprieve it was when he sent word to say it was not the gunboat, nor the governor. However, the evil day must come sooner or later, I fear."

Day after day Mrs. Moody wrote the chit-chat which is now part of our history: "Mrs. Grant never leaves her children, even to go to church, though now she has a servant, so that Mrs. Bacon and I are the only ladies about just now. She is a very nice person; Richard calls her 'Goody Twoshoes' She has no family and is always helping everybody. The other day she came up here and took a lot of pinafores of Dick's home to make for him.

"I get so sleepy all the time — it is quite tiresome."

In March of 1861 Mrs. Moody wrote in some excitement, and this is the way she built up suspense, before getting to the point. "We have well-known visitors, and I will try and give you an account of them. Try and guess who they are — an English lady and her niece.

"Richard heard from Victoria some days ago, saying . . . and her niece propose going up Fraser's River."

"I assured them Mrs. Moody will be most

By JAMES K. NESBITT

happy to receive them for the one or two nights they may be in New Westminster."

"The governor was here at the time; however, as we do not see any difficulties in a full house out here I put two beds into the dining room and had all ready for them on their arrival.

"She is such a nice, energetic old lady, about 65; her niece about 45 I would say. She remained one night and then went up the river as far as Yale, returning last Monday evening, and they have been with us ever since, waiting for the Otter to take them to Victoria."

"I really don't see much of them; the old lady breakfasts in her room, so I seldom see her till luncheon. Miss Cracroft (niece) sits in the drawing room in the mornings, but as I am generally out I do not see her.

"Well, I suppose I must tell you who she is. Can you not guess? She is Lady Franklin — fancy coming out here to see her.

"She is travelling for pleasure, I suppose, but I fancy she is restless and can't settle for long in any one place.

"The governor gave an official dinner at the hotel to all the gentlemen in the town.

"He invited Lady Franklin to meet them, and she accepted the invitation, so, of course, I was obliged to go also, which I disliked very much.

"However, it was less formidable than I anticipated. His Excellency took in Lady Franklin, Judge Begbie me, and Richard Miss Cracroft. Very stiff, official and slow.

"In the evening we all went to the theatre in the town, which I enjoyed very much, and even threaten to go again. Rev. Mr. Sheepshanks

pretends to be very much shocked, and says he is going to preach a sermon at me.

"Last night 'the mess' came in to spend the evening. Capt. Luard and the doctor gave us some music, flute and harmonium.

"Tonight we sat down to dinner, four ladies and one gentleman — quite an event in the history of this place, where females are so scarce.

"Tomorrow evening our men hope to have a theatrical performance, which Her Ladyship intends to honor with her presence.

"The governor left early this morning, and as I was up at half past five to get him his breakfast and to see him off, I am doubly sleepy this evening. We shall be heartily glad to be alone again, I can assure you.

"Today the men have a whole holiday in honor of Lady Franklin's visit. It is a glorious day and the whole camp is alive. I have left baby out with Miss Nagle; doubtless she will get assistance from the doctor, Capt. Parsons, or Mr. Hankin, R. N., a lieutenant who is in attendance on Lady Franklin."

Mrs. Moody was certainly a sleepy soul. Evidently she could nod off at a moment's notice. She wrote of this: "I am better than I have been for some weeks past, indeed, I am almost well, excepting that I can't walk much. I am taking great care of myself and trust to be as strong as ever very shortly.

"I am as sleepy as ever, and generally manage to have a nap every day. I am not particular as to the time. Whenever I have a few minutes to Mrs. Moody asleep? is a very common question."

"There is quite a joke against me in the camp, you know, as to my sleeping so readily. Is Mrs. Moody asleep? Is a very common question."

With a sigh of relief Mrs. Moody wrote: "The governor has, at last, hired a house here; he was here all last week with his eldest unmarried daughter, Agnes.

"She is such a big woman, aged 19 — very like Theodora Metcalfe, though even less refined.

"The governor went up the river and left Agnes with us. We gave many broad hints she would like to prolong her visit to New Westminster. I would not ask her to do so. The gentlemen amused her so that I had no trouble in that way.

"Yesterday was Whit Sunday and it was very wet, so wet that the men could not march down to the town to church; however, Richard and I ventured. I put on my old red petticoat, old Wincey dresses and invaluable waterproof cloak and took no harm. The weather cleared up just as we reached the town, and I arrived at home feeling very hot and dirty and shabby in all my winter clothes.

"I must buy a bit of print for a frock for Zeffie, and I shall have to pay 1-6 a yard for a very poor article — Mrs. Grant has just paid 30 shillings for a common straw hat, with a little bit of black cotton velvet on it, no strings or rosettes."

Early in June of 1861 the Moody family prepared to escape the mosquitoes of Fraser's River: "I am very busy getting ready to go to Victoria, every day seems to bring with it something new to be done, which I had not before thought of.

"We had a passing visit from the bishop last

Mrs. Richard Clement Moody, who went through the earliest days of New Westminster, wrote from that place home to her mother in England every few weeks. Fortunately, her letters were saved in England and not long ago were sent to the Provincial Archives in Victoria. They give a new and fresh light on both Victoria and New Westminster more than a century ago.

MRS. MOODY'S LETTERS

week on his way up-river. Colonial life has a very great tendency to make people grow old and grey. "His Lordship has aged very much since he first came out, and he really looks quite an old man. I do not think he is in very good spirits just now either."

Mrs. Moody liked 'Goodie Twoshoes' very much: "Mrs. Bacon often comes about 3 in the afternoon, about once a fortnight. She goes out for a walk with the children, helps to give them their tea, and leaves again about 6. She is such a nice, useful little body. She does everything for everybody in the place, and she is always ready for anything. She is the most popular lady in the place — with the gentlemen, I mean — 'How nicely Mrs. Bacon dresses' — 'How happy the Bacons are' — 'Mrs. Bacon's house is always so nice' — 'What is there Mrs. Bacon can't do?' — 'Did Mrs. Bacon tell you how to do this?' — etc., etc., etc."

"I am quite sure Mrs. Bacon will come and help me to pack when we go to Victoria."

After a mosquito-free month in Victoria, the Moody family returned to New Westminster.

Again mention of James Douglas: "The Governor is expected up tonight."

"I feel quite indifferent now as to whether he goes or comes, since he has a house of his own to go to."

"I don't fancy he will honor me with a visit this time, for the day before we left Victoria he called. I did not know who it was, and as I was dressing myself and the children preparatory to packing away the dirty things I said I was not to be seen, which I fear His Excellency might not understand."

"One of his daughters, Alice, ran off with the private secretary a short time back. They were overtaken, but too late to prevent the marriage, and I suppose, ere long, it will be forgotten and forgiven. She is only 17."

"We are all pretty well — Richard is rheumatic."

Another letter from Mrs. Moody: "Mr. Bushby is to be married to Agnes Douglas, daughter of the governor, next month in Victoria. I fear Richard will have to go to Victoria for it. It is to be a very grand affair. She is a regular rattle; however, I fancy she will tone down with a very quiet husband, in this very quiet place, where they will live."

Sure enough, Moody came to Victoria for the wedding, but his wife did not. She seems to have been very temperamental where social events were concerned.

She wrote to her mother: "Richard has returned from Victoria, from Mr. Bushby's wedding, which was a very gay affair — seven bridesmaids. The bride and bridegroom are coming up to their new house here today."

"She will find it very dull, I am sure, after all the excitement she has had at Victoria as the governor's daughter."

"Mr. and Mrs. Crease (he is attorney-general) have come up to their new house near us. They arrived before the workmen were out of it; and they have not a servant of any kind."

"I really felt so sorry for Mrs. Crease that Capt. Parsons (in Richard's absence) advised me to go at once to see her. He went over with me, and we brought her three little girls back, Mrs. Crease coming over in the evening to put them to bed, spending the night and leaving after breakfast."

"They are really nice children, the only ones out here that I would ask to stay in the house. They were really no trouble and very quiet, very different to girls with boys."

For a different reason than we find today, Mrs. Moody noted to her mother that one could never tell when the post would arrive: "It seems such a long time since we have had any letters from you. The mails still come irregularly."

Mrs. Moody always discussed fashions with her mother: "I have got such a nice black silk dress. I am quite pleased with it. It was made of two old shirts which I had dyed in Edinburgh. One is a blue one which I had when I married, the other a stripe, which I had soon after. The latter was very much spotted with the flounces, but it is really nice (by candlelight.) I had an old lining, Mrs. Rogerson made it for — it will be all winter for evening."

"Mrs. Spalding has been here, and taken up all my spare time, and this must go by tonight's boat — I am quite vexed with her."

Christmas of 1862, in New Westminster was described to the mother far away in England: "We had a very quiet Christmas time — the children spent one day at the Grant's on New Year's Day; we had the officers, Grant's and Mr.

Sheepshanks to lunch — 16 in all. Then we all went to the school children's feast, and then the bishop exhibited his magic lantern which all the children seemed to enjoy very much.

"I did not see it, as Susan was not very well, and I was rather uncomfortable about her, and so came home, leaving the four children in charge of their papa and the doctor."

"Last night the bishop, the archdeacon, the rector and the attorney-general dined with us. The archdeacon is such a rude man — I was quite vexed with him."

"The bishop is soon leaving for England. Richard is not at all brisk just now I am sorry to say, he has such constant headaches."

In May of 1863 Mrs. Moody told her mother of all the social goings-on in New Westminster: —

"Richard has just come in; he sends his love, he is looking very old just now, and is not quite well. He requires change, but I fear he won't get away far, as the Governor won't sanction his travelling expenses."

"Capt. Luard and Dr. Seddall are engaged to two sisters — Miss Laggatts, and the young ladies have just paid us a visit, nearly three weeks — You can fancy that two such visitors have made the place quite gay — a dinner party here and at the mess, concerts, theatricals, riding parties and a ball in the mess room, as well as picnics."

"The ball was quite a success — five young ladies, four engaged to be married — I enjoyed it very much and danced till 5 a.m. Richard got very tired, but we were obliged to stay till the end."

"The P.E. band played beautifully, the room was prettily decorated and the supper first rate."

"Guess who was one of the party? Robert Plummer—he came up two days before and had to remain on account of the boats, so Richard asked him to dine with us and go to the ball; he could not dance much on account of his boots, for he never anticipated that we had attained to such a height of civilization. The ball did us all good — fancy there being a want of gentlemen!!!"

Little did Mary Moody think that when she wrote those letters so long ago they would be returned to British Columbia to become part of the public historical record.

CONFIDENTIAL REPORT ON OFFICERS

R. C. Moody, Lieut. Col. R.E., Chief Commissioner of Lands & Works.

The attainments high moral worth and gentlemanly qualities are familiarly known to his friends. I am here in duty bound however to remark that as a public administrator in this Colony his management has not been satisfactory to me. I have in fact found it necessary to exercise the utmost vigilance over his public acts; and having narrowly escaped being involved in a ruinous contract for the survey of public lands, which he had entered into with Mr. Joseph Trutch, and from the utter complication of the land system, by a deviation from the spirit, if not from the letter of the Pre-emption Act, I found it requisite to issue the most precise instructions for his guidance in matters of finance as well as of general administration, though previously induced by his position to allow a wide discretion.

W. D. Gosset, Major on Seconded List of Royal Engineers.

My experience of Captain Gosset has not been happy. Except as a mere Treasury clerk, he has been of no use to me. As a financial officer he was valueless. I have invariably found him defective in judgment. His temper is capricious, and I cannot recall a single instance of any useful suggestion made by him. I could never rely on his cordial co-operation in combined measures, and I am persuaded that he encouraged disaffection and wilfully misrepresented my Government, through the public Press, both in this Country and abroad. In short I believe him to be politically faithless and unprincipled.

M. B. Begbie, Judge of Supreme Court.

Able, active, energetic and highly talented, Mr. Begbie is a most valuable public servant. I feel greatly indebted to him for the zealous discharge of his official duty. It would be impossible I think to find a person better qualified for the position he fills and for that of Chief Justice when the appointment is made.

William A. G. Young, Colonial Secretary.

It would be an act of great injustice were I to refrain from bearing testimony to the many good qualities and decided talent for business of Mr. Young, the Colonial Secretary. He has for the last four years held the very responsible position of Colonial Secretary of British Columbia and Vancouver's Island being also Auditor for the former Colony, a position involving an amount of labour which very few men are equal to.

Eminently methodical, of untiring application, and practical in all his views his performance of the various duties of these offices has been such as left me nothing to wish for--the toil being moreover enhanced by the thorough manner in which everything was done. His services have been invaluable to me, indispensable, and no other person is so extensively acquainted with the business of the two Colonies or so capable of carrying on the system of Government so successfully inaugurated.

Source:--MS in the British Columbia Archives, as quoted in Sage, W. N. Sir James Douglas and British Columbia. The University of Toronto Press, 1930. Pages 301-2.

CORRESPONDENCE BETWEEN MOODY AND DOUGLAS re PLANS FOR NEW WESTMINSTER

Hurried designs in so grave a matter as the grades for the Capital of a Country, cannot be too strongly deprecated and I feel assured your Excellency will agree with me in this, the more as it would now appear that an exceedingly rigid adherence in everything relating to the City of New Westminster, not however that I myself have found it to be so--as far as my personal opinion goes, the Public appear to have been on all occasions very reasonable in the matter.

With regard to the designs for the grades throughout the Town, it must be constantly borne in mind that the site itself was occupied in reference only to its becoming the bona-fide Capital of a great and flourishing Colony, as I have the firmest convictions B.C. will be and that at an early date.

The site was not selected for, neither are the grades of the streets designed and adapted to, a town of subordinate character, likely to be in all time limited in extent of population and wealth.

Source:--Moody correspondence, Moody to Douglas, Dec. 2, 1859 as quoted in McDonald, Margaret L. New Westminster, 1859-1871. MA Thesis, University of British Columbia, 1947.

I am induced to make this remark by the observations contained in your letter respecting the Capital of a great and flourishing colony, and by your classing New Westminster in the same category with the great Cities at Home--I would suggest to you that the Colony itself must first become great and flourishing before we can undertake works on a scale of magnificance in accordance therewith, and that a Town just laid out and not yet disassociated from the primeval forest cannot be dealt with as a great city that has existed for centuries. What we now want is a scheme that will render the lots at New Westminster available so that a town may be established and a nucleus formed that hereafter may expand into a great and flourishing city, and I would beg you not to attempt any more than this, for if none be essayed I feel confident that positive hindrances to development will ensue.

I was yesterday waited upon by a deputation of some of the principal lot-holders in Columbia St. and forward extract of their memorial--I agree with them. *

Source:--Douglas correspondence, F. 485, Douglas to Moody, Dec. 6, 1859 as quoted in McDonald.

* This memorial and Douglas' agreement with it, led to the establishment of a Municipal Council for New Westminster, which had the power to raise taxes and the responsibility for road building and fire protection.

EARLY SETTLEMENT IN NEW WESTMINSTER

Even before the arrival of the main body of the Royal Engineers a few traders and settlers were already established in little shacks in the capital. Philip Hick, a baker, who had supplied the troops at Langley all winter, had opened the "Government Bakery." Judge Begbie writes of the baker, "I saw him this afternoon in the snow handing out the bricks out of a scow for making his oven where you would think an oven would never be." J. T. Scott was conducting a saloon having obtained a license from the magistrate at Langley, and Robert Dickinson had opened a butcher shop. The first merchant is believed to have been W. J. Armstrong who started a small general store with a stock of goods secured in Victoria. His family lived above the store and this was probably the first substantial "home" any of the colonists possessed. The rest of the settlers lived in crude shacks or tents. Mrs. James Kennedy, the first white woman to come to New Westminster, lived for some months in a tent erected on the banks of the Fraser near the foot of Mary Street.

James Nelson Draper was one of the first settlers in the new capital. He represented the Victoria lumber firm of T. G. Jackson and Company, who were agents for the Washington Mill Company. His son, Mr. William Draper, told the writer that his father used to say that when William Clarkson came to Queensborough, "Bill" Armstrong and Mr. Draper put up the first office building in the capital--at the foot of Mary Street.

Source:--McDonald, Margaret L. *New Westminster, 1859-1871*. MA Thesis, University of British Columbia, 1947, page 93.

Now that the Royal City had received its name the first street was constructed upon the banks of the river, wooden shacks were built, each owner making his plank sidewalk in front of his won place at the height which suited him. The street accordingly went up or down a step or two in the most unexpected places, so that you had to watch your progress, or make an exhibition of yourself, especially in frosty weather; even in the wet it was hard on the skirts of the ladies. After dark it was a work of art to navigate oneself among these pitfalls, for there were no street lamps, so all was total darkness when the stores had closed. The flitting shadows from lanterns carried in the hands of pedestrians quivered here and there like "Will-o-the-wisps" and you sought your lantern after an entertainment as you would your overcoat, and many were the searchings of heart over the missing ones, for those who had neglected to bring their own seldom hesitated to borrow their neighbor's without leave or license.

Source:--Herring, Mrs. F. E. *In the Pathless West*. As quoted in Hall, Winnifred M. *The Royal Engineers in British Columbia*. BA Thesis, University of British Columbia, 1925. Page 67.

PAPERS RELATING TO BRITISH COLUMBIA PART IV.

No. 10.

No. 10.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 74.)

Victoria, Vancouver Island, August 4, 1860.

(Received September 27, 1860.)

MY LORD DUKE,

I HAVE the honour of transmitting herewith, for Her Majesty's approval, the copy of a Proclamation entitled "The New Westminster Municipal Council Act, 1860."

2. This is the Act which I had the honour of reporting to your Grace in my Despatch marked "separate," and dated New Westminster, the 23rd of May 1860.*

* Page 6.

3. It provides for the election of a Municipal Council invested with power to raise money by assessment on all town lots, and erections thereon, situated within the limits of New Westminster, and authorizes them to expend that money in the formation of streets, and in providing for the health, comfort, and security of the inhabitants.

4. The Municipal Council is to consist of seven members, being British subjects, and each being possessed of a property qualification of fifty pounds; and all ratepayers are entitled to vote in the election of Councillors.

5. The Council can levy such rates only as are approved of by the majority of all the ratepayers and by the Governor for the time being. In the same manner all bye-laws passed by the Council must be confirmed by the Governor for the time being, before they have the force of law.

6. The compulsory clause requiring lot-holders to cut down the standing trees, except such as may be reserved on any lot for ornament, was introduced into the Act at the request of the people themselves, who represented that there was no security for their property, which was in perpetual danger of being destroyed either by the falling of trees or by their conflagration, as long as any part of the forest within the inhabited portion of the town remains.

7. The clause has also merits of another kind; it will have the effect of inducing holders of lots, whether resident or not, to improve their property, and thereby benefit the town.

8. The Act has been prepared with much care and consideration by the Attorney-General, and will, I trust, be productive of much good.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS.

The final item in this booklet is a copy of the discussions which accompanied the second and third reading of the bill in the British House of Commons to establish a colony in New Caledonia. The name was later changed to British Columbia. This bill, as you will notice was passed in 1858 under the pressure of mass immigration because of the discovery of gold.

Vancouver's Island had been made a colony in 1849. When the two colonies, Vancouver's Island and British Columbia, were united in 1866, British Columbia became the name of the united colony. Any references to Vancouver in this early period are to Vancouver's Island. The city of Vancouver did not become established until after the building of the CPR in 1885-6.

abling the Minister of the Crown to obtain information and advice from persons of Indian experience, we may expect a solution of these difficult questions. In referring to this subject, I cannot abstain from advertizing to the remarkable speech which was made the other evening by the hon. Member for Birmingham (Mr. Bright), and which did not at the time attract much observation. I think the speech of that hon. Gentleman was one of the most remarkable ever delivered in this House. I do not concur in some of the opinions which he expressed. I do not agree with him that it will be possible—at least for a long time to come, perhaps never—to abolish the important office of Governor General of India, but I do agree with him that we ought to endeavour to give large powers to the Governors of the different Presidencies in India, and that it is only by intrusting great powers to them, and enabling them to govern their Presidencies with vigour and efficiency, that we are likely to improve the government of India. I agree, generally, in the principles laid down by the hon. Gentleman, although they may not be immediately applicable. I think they are the true principles upon which the Government of India ought in future to be conducted. Whether our decisions may have been wise or not, we have, at all events, gone through this Bill with an absence of party spirit which, I believe, evinced on the part of the House a desire to come to a right determination upon the various important questions which have been brought under our consideration, and I am sure that, having framed the Bill in such a spirit, it will be most satisfactory to the House if its operation should prove beneficial to the people of India, and honourable to the Parliament of this country.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I cannot refrain from congratulating the House upon having, by the combined exertions of hon. Gentlemen on both sides, brought this Bill to its present stage, and from offering them, on the part of Her Majesty's Government, our sincere thanks for the candour and patience with which they have assisted us in the progress of the measure. There is, I believe, no one in this House who recognizes or appreciates more completely than I do the necessity and importance of party organization. Indeed, I do not know how a popular assembly so numerous as the existing House of Commons could be defended

Lord John Russell

from the influence of the Crown without an organization of that nature. There are, however, occasions on which there is an universal agreement that that political discipline may most advantageously be modified or suspended, and I cannot but feel that when we are called upon to consider a question relating to the better government of India—especially under the existing circumstances of that country—the occasion is one on which we should combine our common efforts for the common good. I think that on the whole the country has every right to be satisfied with the result of our labours. I think this measure is a very great improvement upon the state of affairs it is intended to supersede, and, although it pretends to be no more than an effort to institute in this country a vigorous home government for India, it is impossible not to believe that it will have a very beneficial effect upon the government of India in India itself. That is the point to which the feelings of all England must now be directed. Having by the cordial assistance of all parties in the House of Commons succeeded in framing a measure which I trust will institute a vigorous government of India in England, let us now hope that by the wisdom of our statesmen, by the skill of our commanders, and the bravery of our troops, we may soon put an end to the great rebellion which has so long raged in that important part of Her Majesty's dominions, and that we may be able to re-establish her empire in that part of the world on those principles of truth and justice without which no empire in this or any other age can be established or permanently maintained.

Bill read 3^d, and *passed*.

GOVERNMENT OF NEW CALEDONIA BILL.

SECOND READING.

Order for Second Reading read.

SIR BULWER LYTTON: Sir, the Bill which I rise to ask the House to sanction, is necessary to the maintenance of law and the preservation of life in the district in which it proposes to establish a Government, and it realizes at an earlier period than was anticipated an object which has already entered into the colonial policy of this country. The House is aware that in 1849 the Crown granted to the Hudson's Bay Company the soil of Vancouver's Island, on the condition of establishing a colony there, disposing of the land to emigrants, and

defraying its expenses; at the same time the Crown reserved a right to resume the land on the expiration of the grant of exclusive trade in 1859. But the Company enjoy in Vancouver's Island no rights of government or of judicature. The government is administered by a Governor appointed by the Crown, with a Legislative Council, and the House of Representatives chosen by the people. The judicature is administered by Courts instituted by the Crown, under the special authority of an Act of Parliament, "to provide for the administration of justice in Vancouver's Island." Next year it is the intention of the Crown to resume the soil, and the whole public connection of the Company with the island will cease. Indeed, my right hon. Friend the Member for Coventry (Mr. Eliée), in his able evidence before the Committee on the Hudson's Bay Company, says, "The sooner the public re-enter into possession, and the sooner they form establishments worthy of the island, and worthy of the country, the better." My right hon. Friend proceeds to say, "that this island is a kind of England attached to the continent of America; that it should be the principal station of our naval force in the Pacific; that it is the only good harbour to the northward of San Francisco, as far north as Sitka, the Russian settlement; that you have in Vancouver's Island the best harbour, fine timber in every situation, and coal enough for your whole navy; that the climate is wholesome, very like that of England; the coasts abound with fish of every description; in short, there is every advantage in the Island of Vancouver to make it one of the first colonies and best settlements of England." But when my right hon. Friend was asked by the Committee if he thought it desirable to attempt also at once to colonize the land on the adjacent coast he answered, "No, we should have enough to do in colonizing the island." He will not say that now. He knows that since that evidence was given circumstances have arisen which call upon us to place, as soon as possible, the adjacent territory under the safeguard of an established Government, such as this Bill will provide. And those circumstances are the discovery of goldfields, the belief that those goldfields will be eminently productive, the number of persons of foreign nations and unknown character already impelled to the place by that belief. I need say no more to show the imperative necessity of establishing a Government wherever the hope

of gold—to be had for the digging—attracts all adventurers and excites all passions. At this moment there is no Imperial Government at all in the place, for the Governor of Vancouver's owns no commission on the mainland. Thus, the discovery of gold compels us to do at once, what otherwise we should very soon have done—erect into a colony a district that appears, in great part, eminently suited for civilized habitation and culture. Before I proceed further it may be interesting to the House to give a sketch of the little that is known to us, through official sources, of the territory in which these new goldfields have been discovered. The territory comprehended in the proposed Bill lies between the Rocky Mountains and the Pacific; it is bounded on the south by the American frontier line, 49 degrees of latitude, and may be considered to extend to the sources of Fraser River, in latitude 55 degrees. It is, therefore, about 420 miles long in a straight line, its average breadth about 250 to 300 miles. Taken from corner to corner its greatest length would be, however, 805 miles, and its greatest breadth 400 miles. Mr. Arrowsmith computes its area of square miles, including Queen Charlotte's Island, at somewhat more than 200,000 miles. Of its two gold-bearing rivers, one, the Fraser, rises on the northern boundary, and flowing south, falls into the sea at the south western extremity of the territory, opposite the southern end of Vancouver's Island, and within a few miles of the American boundary; the other, the Thompson River, rises in the Rocky Mountains, and flowing westward joins the Fraser about 150 miles from the coast. It is on these two rivers, and chiefly at their confluence, that the gold discoveries have been made. Hon. Gentlemen who look at the map may imagine this new colony to be at such an immeasurable distance from England as to be fatal to anything like extensive colonization from this country; but we have already received overtures from no less eminent a person than Mr. Cunard for a line of postal steamvessels for letters, goods, and passengers, by which it is calculated that a passenger starting from Liverpool may reach this colony in about thirty-five days by way of New York and Panama. With regard to the soil, there is said to be some tolerable land on the lower part of Fraser River. But the Thompson's River district is described as one of the finest countries in the British dominions, with a climate far superior to

that of countries in the same latitude on the other side of the mountains. Mr. Cooper, who gave valuable evidence before our Committee on this district, with which he is thoroughly acquainted, recently addressed to me a letter in which he states that:—

"Its fisheries are most valuable, its timber the finest in the world for marine purposes; it abounds with bituminous coal well fitted for the generation of steam; from Thompson's River and Colville districts to the Rocky Mountains, and from the 49th parallel, some 350 miles north, a more beautiful country does not exist. It is in every way suitable for colonization."

Therefore, apart from the goldfields, this country affords every promise of a flourishing and important colony. In Charlotte's Island, which we include in this new colony, gold was discovered in 1850, but only in small quantities. Here I may perhaps correct a popular misconception. In Vancouver's Island itself no gold has been yet discovered. The discovery of gold on the mainland was first reported to the Colonial Office by a despatch from the Governor of Vancouver's Island, dated April 16, 1856. The Governor had received a report from a clerk in the service of the Hudson's Bay Company at Fort Colville, on the Upper Columbia River. Further reports followed in October, 1856, testifying to the importance of the discovery. From experiments made in the tributaries of Fraser River there was reason to believe that the gold region was extensive; the similarity in the geological formation of the mountains in the territory to those of California induced the Governor to believe that these would prove equally auriferous. Subsequent accounts, in 1857, varied as to the quantity of gold obtained, but confirmed generally the opinion of the richness of the mines, especially above the confluence of the Fraser and Thompson Rivers. The Governor writes on the 15th of July, 1857, that gold was being discovered on the right bank of the Columbia, and the tableland between that river and Fraser's. On December 29th he ascribed the small quantity found to the want of skill and tools on the part of the natives, who opposed any white men digging. The Indians were especially hostile to the Americans, and opposed their entrance into the country. Great excitement now prevailed in Oregon and Washington Territory. An influx of adventurers might be expected in the spring, in which case collisions between the whites and the natives might be expected to occur. As far back as the first discovery in April,

Sir Bulwer Lytton

1856, the Governor had suggested the system of granting digging licenses. The right hon. Gentleman the Member for Taunton (Mr. Labouchere), then Secretary of State for the Colonies, pointed out, in a reply (August 4), that it would be abortive to attempt to raise a revenue from licenses to dig for gold in that region in the absence of effective machinery of government, and left to the Governor's discretion the means of preserving order. In the exercise of that discretion he issued a proclamation (December 28th, 1857), declaring the rights of the Crown to the gold in Thompson's and Fraser's Rivers; establishing license fees of 10s., which, on the 1st of January, 1858, he raised to 20s.; and prohibiting persons from digging without authority from the Colonial Government. But this proclamation has virtually proved a dead letter, for, in point of fact, the Governor had no legal power to issue the proclamation, or cause it to be respected, he having no commission as Governor on the mainland; his sole power has been the moral power of his energy, talents, and extraordinary influence over the natives. Indeed, the manner in which he has preserved peace between the white man and the natives is highly to his honour. In a letter from the Governor to the Hudson's Bay Company, March 22, 1858, he trusts that Her Majesty's Government would take measures to prevent crimes and protect life and property, or there would be ere long a large array of difficulties to settle. "A large number of Americans," he said, "had entered the territory; others were preparing to follow." On the 8th of May, in the present year, he states to the Colonial Office that 450 passengers, chiefly gold miners, had come from San Francisco; that they all appeared well provided with mining tools; there seemed to be no want of capital or intelligence among them; that about sixty were British subjects, about an equal number Americans, the rest were chiefly Germans, with some Frenchmen and Italians. And I have here the pleasure to observe that he states, that though there was a temporary scarcity of food and a dearth of house accommodation, they were remarkably quiet and orderly. The Governor then touches on the advantage to the trade of the island from the arrival of so large a body of people; but he adds significantly:—

"The interests of the empire may not be improved to the same extent by the accession of a

foreign population whose sympathies are decidedly anti-British. From this point of view the question assumes an alarming aspect, and leads us to doubt the policy of permitting foreigners to enter the British territory *ad libitum* without taking the oath of allegiance, or otherwise giving security to the Government of the country."

He states that—

"The principal diggings at Fraser's and Thompson's Rivers at present will continue flooded for many months, and there is a great scarcity of food in the gold districts; that the ill-provided adventurers who have gone there will exhaust their stock of provisions, and will probably retire from the country till a more favourable season; that on the dangerous rapids of the river a great number of canoes have been dashed to pieces, the cargoes swept away, many of the adventurers swept into eternity—others, nothing daunted, pressing on to the goal of their wishes."

He again, in a letter to the Hudson's Bay Company, repeats his fears:—

"How seriously the peace of the country may be endangered in the event of the diggings proving unremunerative, and the miners being reduced to poverty and destitute of the necessities of life."

I should state that I have also seen private letters recently from San Francisco, giving an account of the extending excitement prevailing there, and of the number of Americans, of other foreigners, and of negroes preparing to start for Fraser's River. In one letter it is stated that 2,000 persons have already left, and 20,000 persons might leave before the end of the summer, if the news continued favourable; but perhaps the news of the flooding of the waters may for a time retard so copious an emigration. I think I have said enough to convince the House of the necessity of providing at once for the government of a country threatened by so many disturbing elements. My first care has been to urge upon my right hon. Friend the First Lord of the Admiralty the necessity of despatching an adequate Naval force in the harbour of Vancouver—sufficient to provide against lawless aggression, and instructions to this effect my right hon. Friend assures me he has given, and my next care is to bring in this Bill which is intended to establish lawful authority and order. Now, Sir, the Crown, of itself, could, if it thought proper, make a colony of this district. But the law officers decided, in the case of Vancouver's Island, that no Legislature can be established by the Crown, except an elective assembly and a nominative council; and, considering the very imperfect elements for such a constitution at such a moment, considering the ordinary character of gold-diggers, considering that our information as yet is

really so scanty that we are at a loss to constitute even a council of the most limited number, I think that most hon. Gentlemen will agree that it would not be fair to the grand principle of free institutions to risk at once the experiment of self-government among settlers so wild, so miscellaneous, perhaps so transitory, and in a form of society so crude. This is not like other colonies which have gone forth from these islands, and of which something is known of the character of the colonists. Neither is it like those colonies in which the first thought of the emigrants is the acquisition of land, and the first care of the governor those allotments of land, which are the preliminary of representation. As yet the rush of the adventurers is not for land but gold, not for a permanent settlement but for a speculative excursion. And, therefore, here the immediate object is to establish temporary law and order amidst a motley inundation of immigrant diggers, of whose antecedents we are wholly ignorant, and of whom perhaps few, if any, have any intention to become resident colonists and British subjects. But, where you cannot at once establish self-government, all sound political thinkers, all friends to that responsibility which is the element of freedom, will perhaps agree that the next best thing is to establish a Government which shall have as few checks as possible on its responsible functions, which shall possess unhampered what powers we can give it, to secure the respect for recognized authority; which shall be clearly for a limited time, and with the avowed and unmistakable intention of yielding its sway at the earliest possible period to those free institutions for which it prepares the way, and which it will always henceforth be the colonial policy of this country to effect. I think that all complicated attempts to construct half-and-half forms of Government for such new societies are unsatisfactory. They only serve to weaken the Executive and to form an excuse for retarding the completion of popular systems. What, therefore, we propose to do by the Bill we now ask the House to read a second time is, to empower the Crown, for a limited period, till December 1862, and the end of the Session of Parliament next ensuing after that time—a period nominally of five years, though in reality of four, to make laws for the district by Orders in Council, and to establish a Legislature; such Legislature to be, in the first instance, the Governor alone; but with

power to the Crown, by itself or through the Governor, to establish a nominative Council and a representative assembly. If, therefore, before the five years expire there are the elements for a representative assembly, I cannot doubt that, whoever then may be the advisers of the Crown, a representative assembly will cheerfully be given. Sir, there will be some, no doubt, who think the term of five years too short, who think that the materials for popular self-government could not be matured at the end of that term, and that there would be many inconveniences in coming again to Parliament to renew the powers of the Act. To these objections I have given the most respectful care, and I would submit that the larger proportion of the immigrants attracted by the goldfields will probably be Americans, accustomed to self-government; that, if you desire to keep them loyal and contented, you should give them the prospect, at the earliest possible period, of that representative form of government to which, in their native country, they have been accustomed; and that if you desire a strong Government for the preservation of internal order, no Government we can make, without the aid of armies, is so strong as that where the whole society is enlisted in securing respect to the laws which it has the privilege to enact, and has no motive to rebel against the authority in which it participates. And if, which is not impossible, the goldfields should prove a delusive speculation, and the principal settlers should be the steadier class of emigrants,—perhaps our own countrymen, who will rather cultivate the other resources of the land in its coal mines, timber, fisheries, and other agricultural produce—you may have at the end of five years a quiet and orderly population, well fitted for self-government. Therefore I think we had better fix the shortest term for the experiment of a provisional Legislature. With regard to Vancouver's Island, which has already a free constitution, we do not propose to annex that island to the new colony. In fact, if the goldfields should prove to be really productive, a very large population will rapidly spread over the neighbourhood of the diggings, which it will be impossible to govern from the distance of several hundred miles at Vancouver; while, if we extend our view to the natural destinies of Vancouver as the great naval station to our only possession on the Pacific side of the whole of America—a station

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from which we should carry on a trade with India, China, the Indian Archipelago, Australia—a trade now carried on exclusively by the Americans from California—I think we must allow that the Government of the island would have enough to occupy its care and attention in developing the true interests and resources of that single colony. Nevertheless, difficulties in the severance of the two colonies may be found in their geographical relation to each other. According to maps the maritime access to New Caledonia can be only made facile and guarded by its command of the noble harbour of Esquivaux, at Vancouver's Island—natural circumstances may thus compel the fusion to which otherwise there may be sound political objections—we therefore propose to leave the question of annexation open to further experience, and the Act will empower the Crown to annex Vancouver to New Caledonia, if the Legislature of the island intimate that desire by an Address to the Crown, under such terms and conditions as may be approved. Meanwhile, as the most pressing and immediate care in this new colony will be to preserve peace between the natives and the foreigners at the gold diggings, so there is nothing in the Act which impairs the prerogative of the Crown to permit the Governor of Vancouver to administer also New Caledonia, should that be absolutely necessary, in the first instance, just as the Governor of the Cape, which has a free constitution, is also Governor of the Crown colony of British Kaffraria, holding separate commissions for each. Our object, in short, has been, under our very imperfect information, and the uncertainty, as yet, of the value of the goldfields, to insure some immediate Government, and to leave to the Crown all discretionary power, according to the advice it may receive and suited to the variation of circumstances. I should add that it has been deemed necessary by the law advisers of the Crown to abolish in the proposed Act—as was done in the Act for Vancouver's Island by the advice of the Committee of Privy Council, in 1848—the jurisdiction which the courts of Canada claim over civil and criminal cases in this region. The Crown has power to appoint magistrates and constitute courts having a concurrent jurisdiction with Canadian courts up to a certain amount. The Canadian jurisdiction is a dead letter, and though it has subsisted nominally for nearly 40 years it has never been put into

execution, certainly not in the North-West territories. It is clear, however, that the concurrent jurisdiction would be attended with many practical inconveniences, which, in creating a colony, it will be necessary to remove, as we did remove them for Vancouver's Island. I have now, Sir, stated the substance of the Bill I ask leave to introduce. I have shown, I trust, the necessity of an immediate measure to secure this promising and noble territory from becoming the scene of turbulent disorder, and to place over the fierce passions which spring from the hunger of gold the restraints of established law. If the machinery we propose is simple, it is because the society to which it is to be applied is rude. But, happily, in that new world, the true sense of the common interest is rapidly conceived, and the capacities of self-government no less rapidly developed. And probably even before the end of the five years to which I propose to limit the operation of this Act, the materials for a popular representation may be found, and the future destinies of this new-born settlement boldly intrusted to the vigorous movement of liberal institutions. It may be necessary to observe that, both as regards Vancouver's Island and this more extensive territory of New Caledonia, it is not intended over these colonized districts to renew to the Hudson's Bay Company the license of exclusive trade, which expires next year. The servants of the Company will then have in those two colonies no privileges whatever, apart from the rest of Her Majesty's subjects there, and therefore I was glad to hear the hon. and learned Gentleman the Member for Sheffield (Mr. Roebuck) express his opinion that the present occasion was not a fitting opportunity for raising the question of which he had given notice; it is desirable to keep any discussion upon this Bill free from the more angry elements which may be involved in the general question as to the powers of the Hudson's Bay Company, by virtue of its charter, on the different district of Rupert's Land, on the eastern side of the Rocky Mountains, a question which the hon. Member for Sheffield will have a distinct opportunity to introduce. Sir, I have wished to keep my statement of the present value and ultimate importance of this new colony clear from all the exaggerations which belong to the philosophy of conjecture. I have carefully abstained from over-colouring our imperfect

knowledge as to the permanent richness of the gold discoveries. Nothing can be more cruel to immigrants and more dangerous to the peace of the settlement than to give undue favour to any extravagant expectations as to the produce of these goldfields. It is a terrible picture, that of thousands rushing to what is already called the New El Dorado, influenced by avarice and hope, and finding, not wealth, but disappointment and destitution—provisions dear and scanty, and the gold itself meagre in its produce, and guarded by flooded rivers and jealous Indians. At present, whatever may be the riches of the discovery, it is fair not to forget the fact that California exported in the first eight months from the discovery of its mine 150,000 ounces of gold dust, while the largest amount ascertained or conjectured from Fraser's River since 1856 is not more than 1,000 ounces. More rational, if less exciting, hopes of the importance of the colony rest upon its other resources, which I have described, and upon the influence of its magnificent situation on the ripening grandeur of British North America. I do believe that the day will come, and that many now present will live to see it, when, a portion at least of the lands on the other side of the Rocky Mountains being also brought into colonization and guarded by free institutions, one direct line of railway communication will unite the Pacific to the Atlantic. Be that as it may, of one thing I am sure—that though at present it is the desire of gold which attracts to this colony its eager and impetuous founders, still, if it be reserved, as I hope, to add a permanent and flourishing race to the great family of nations, it must be, not by the gold which the diggers may bring to light, but by the more gradual process of patient industry in the culture of the soil, and in the exchange of commerce. It must be by the respect for the equal laws which secure to every man the power to retain what he may honestly acquire; it must be in the exercise of those social virtues by which the fierce impulse of force is tamed into habitual energy, and avarice itself, amidst the strife of competition, finds its objects best realized by steadfast emulation and prudent thrift. I conclude, Sir, with a humble trust that the Divine Disposer of all human events may afford the safeguard of His blessing to our attempt to add another community of Christian freemen to those by which Great Britain confides the records of

her empire, not to pyramids and obelisks, but to States and Commonwealths whose history shall be written in her language.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. LABOUCHERE said, he thought there could be no difference of opinion in that House as to the propriety of taking steps to meet the wants which this Bill was intended to supply, and to establish a settled form of government in that part of British North America to which circumstances were directing the steps of large bodies of men. While he held the seals of the Colonial Office he received information of the probability of considerable gold discoveries being made, but he thought it was premature to incur expense in taking steps to found a new settlement until those discoveries should have been confirmed. The information, which had been received since, showed that there was now a stream of adventurers setting in towards that part of the world, and therefore it was indispensable that some steps should be taken to establish a settled form of law. He thought the measure proposed by the right hon. Baronet was judicious, and well calculated to effect its object. The right hon. Baronet was also perfectly correct in the interpretation he had put on the charter for exclusive trading granted to the Hudson's Bay Company. It was a common but mistaken belief that that charter precluded the Crown from taking any portion of the territories ceded to the Company for colonization or settlement. The fact was, that in every license for exclusive trading the Crown had reserved to itself the power of resuming at pleasure any portion of the territory. He would not enter upon the question of the propriety or impropriety of renewing the license of the Hudson's Bay Company, as another opportunity would be afforded for discussing that matter, and the only question now before the House was how they could best assist the Government to establish colonial institutions in that country. Although he was as attached as any one could be to free institutions, yet, considering the nature of the population that would be gathered together, he agreed with the right hon. Baronet that it was best to provide a strong and settled government with established laws at first. There was one circumstance which constituted the main danger of disorder, and

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that was the strong aversion which the Indians entertained towards the Americans. It was a remarkable fact, that, while on the northern side of the frontier, in the British possessions, there was perfect harmony and order between the white and the red men, there had been on the other side of the frontier scenes of carnage and bloodshed which had generated a deadly hostility on the part of the Indians towards the Americans. Governor Douglas, in the papers before the House, had referred to the feeling as likely to create difficulty. Under those circumstances he thought the House would agree that it was most important there should be a strong Executive to control the Indians and to prevent the white settlers from molesting them. The right hon. Gentleman had adverted to the soil and climate of the country, the excellence of which it was impossible to deny, and he (Mr. Labouchere) believed that in the course of time Vancouver's Island and the adjacent territories were destined to be the homes, of a large, industrious, and flourishing population. He might mention that before he left office notice was given to the Hudson's Bay Company that when the term of their present license expired the Crown would resume complete control over Vancouver's Island, and he was glad to find the right hon. Baronet had taken the same view of the necessities of the case. He could not conclude without paying a humble tribute to the excellent qualities of Governor Douglas. Throughout that correspondence which he had had with that gentleman he had been much struck with his good sense, ability, and sagacity, and he could not but think that we were very fortunate in having such a public servant to watch over our interests in Vancouver's Island. The right hon. Baronet had very properly abstained from pronouncing any positive opinion as to the amount of gold which was likely to be found in that colony. The information hitherto had been very deficient on that point; but scientific persons, who were well qualified to give an opinion, had stated to him (Mr. Labouchere) that the geological formation of the country was extremely similar to that of California, and that they saw no reason why gold should not be found in very great quantities. Under these circumstances, it was certainly our duty to take such measures as the large population likely to congregate

there rendered necessary. He did not know why the name of New Caledonia had been selected for this colony. He had seen several gentlemen connected with the colony and none of them appeared to know it by that name. There was a large island in the neighbourhood of Australia belonging to France which bore that name already, and he thought it possible that some inconvenience and confusion might result from two colonies having the same name. That however he would content himself by leaving to the judgment of the right hon. Baronet. He believed that the provisions of the Bill were well drawn, and he should give his hearty support to the second reading.

Mr. ROEBUCK said, he supposed that there would be no opposition to a Bill, which would lead to the settlement of the whole line of the Atlantic frontier, and tend to create a counterpoise to the power of the United States in those regions. He would call to the mind of the right hon. Baronet that by this Bill he obtained the power of making such laws for these colonies as the Queen thought fit. If he sent out a Governor without a body of laws prepared, he would not be taking a right step towards the settlement of the colony. In the formation of a colony it was of importance that persons on going into that colony should find themselves surrounded by law and order. The first thing to be done was to survey the territory, and then to have a code of laws established at once, so that any settler on going to the colony, would find any purchase he might make surrounded by the law. There ought, then, to be an Executive with ample power to administer the law. The first thing should be to send a body of men to survey the country, then to establish a body of laws, and there ought to be a Governor armed with authority physically to support those laws. You could not send out a Governor without soldiers. He (the right hon. Baronet) looked with wonderment at his (Mr. Roebuck's) saying this; but the population of this colony was wild and vagabond, the scum of every country; much of it coming from California, where they had been living under Lynch law, and if they got a large body of this sort of population, and planted a Governor in the midst of them without the means of enforcing the law, the right hon. Gentleman might as well not have brought in this Bill. The right hon. Gentleman must send out a Governor and an armed force with him, or

there would be no preserving the peace of the colony. He knew that it was unpopular language which he was using, but it was the truth. In ordinary colonies, as in the instance of New Zealand, you sent out a population accustomed to law and order, and which could govern themselves, and out of which you could create a militia. But if out of a population coming from California you created a militia, you created a force against yourself, and one which would put down order instead of preserving it. The right hon. Baronet was also wise in limiting the operation of the Bill to four years; for that time, if properly employed, would so accustom the population to law and order that you might safely leave the colonists to govern themselves. Allusion had been made to California, but that was a peculiar instance. It was far from the United States; it was full of gold, and the attraction of the gold discoveries brought to it vagabonds from all parts of the world, even from China, but especially from America; while the British Islands also supplied some of the rascally population. The result was, however, that peace and order reigned in California to an extent that was marvelously early, considering the character of the population. The Executive was not powerful, and the consequence was the establishment of Lynch law. Now Lynch law was much misunderstood. It was the only law in that country, and it was a really beneficial institution (laughter). Hon. Gentlemen might take that as a joke, but he was not in the habit of making jokes—at all events good jokes on any subject. But he could say that Lynch law was a sort of wild justice, which the nature of the case compelled the population to adopt. They adopted Lynch law, and law and order reigned in California. He did not, however, wish to see that law established in our colony, though it was a good law under certain circumstances, and if the right hon. Baronet wished that law and order should be established in those colonies, he must introduce the civil law, which could only be maintained by a strong body of soldiers—supported by this country. The right hon. Gentleman the Member for Taunton (Mr. Labouchere) had said something on the subject of the native Indians. He (Mr. Roebuck) would warn the right hon. Baronet against any mock sentimentality on that point. He was about to establish a colony before which the Indian would disappear. The successful civilization of the

white man, as a necessary consequence, killed out the brown man, and depend upon it the red man would have to disappear before it in this instance; and the same feeling would exist amongst the Indians against all the colonists as now existed against the Americans. The Americans had been successful colonisers, and there was universal hatred of them amongst the Indians. In Canada, Lower and Upper, there was hardly an Indian left, because these colonies had been peopled by a civilized white population. He knew something of Canada, and he could state from personal knowledge that in that country the Indians were like the wandering gypsies of other countries. They were disappearing fast from the face of nature. One might occasionally see a poor wretched being, clothed in a dilapidated blanket, creeping along, degraded and miserable, and that was the Indian of Canada. That was what we were going to do in New Caledonia. We were about to introduce civilization there. Before that civilization the Indians must disappear, and the more rapidly the better. This might seem harsh and cruel language; but it was the language of truth. The absorption of the red man was an inevitable consequence. It was not man's fault that it was so; but wherever civilization advanced the red man retired. He had abstained from introducing any topic connected with the Hudson's Bay Company into the discussion, and he had done so on the understanding that he was to have a day on which that question could be debated by the House. To show that it was imperatively necessary that that subject should be considered without delay, he would remind the House that in May, 1859, the license by which the Hudson's Bay Company now held certain territory east of the Rocky Mountains expired, that it was necessary therefore to provide for the future, and that they could only do so efficiently upon a thorough understanding of the case. The House was not yet thoroughly in possession of all the facts, and a night's discussion was needed for that purpose. Although he contemplated depriving the Hudson's Bay Company of a certain portion of their territory, yet the right hon. Member for Coventry (Mr. Ellice) might rest assured that he purposed to do them no injustice. He was prepared to give them all they ought to have, but he believed that they possessed their powers under a misconception of an illegal char-

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ter; nevertheless, he was prepared to deal liberally with them. He repeated, he hoped the House would understand that he had abstained from entering on all topics of this kind in the belief that he would have a full opportunity of stating his opinion with regard to the position of the Hudson's Bay Company with reference to the territory east of the Rocky Mountains; and as the question was a great and imperial one, he would entreat the Government not to treat it lightly, but from a statesman-like point of view, as involving British interests in the region between the Atlantic and the Pacific. By so doing they might create a counterpoise on that continent to a power which was rising into overwhelming importance there. They ought not to shut their eyes to the threatening aspects which beset the condition of that country, and they ought to look on the question as one intimately concerning the interests and honour of this country.

Mr. A. MILLS said, he entirely concurred in the remarks which had fallen from the right hon. Gentleman the Member for Taunton (Mr. Labouchere) as to the wisdom of those clauses of the Bill which reserved to the discretion of the Government the period when representative institutions should be introduced into the new body. The right hon. Gentleman had also alluded to the title of the colony. Now, when he (Mr. Mills) first saw the Bill, he certainly imagined that they were going to legislate for the French possessions of the same name in the Pacific, being ignorant of the fact that there was any other new Caledonian in the world; and he thought it might possibly create some surprise in France when they found the British Parliament legislating for a French colony. It was very desirable, then, that confusion should be avoided, if possible, in describing the colony; for he remembered once hearing an anecdote of a governor, who having been appointed to a colony, quitted this country, and after a lapse of a certain time returned, and said he was not able to find it.

Mr. WYLD said, he understood the general feeling of the House to be that the discussion should be confined to the object of the present Bill, and that they should refrain from entering on the subject of the Hudson's Bay territory; but he would beg to remind the right hon. Baronet that that great question required his immediate attention. Not only would there be emigration to these colonies from Cali-

fornia, but it would flow in from Canada, as these territories were only forty-seven days overland from Montreal. That emigration could not take that route without interfering with the territory of the Hudson's Bay Company. The hon. and learned Member for Sheffield (Mr. Roebuck) had talked of employing a large military force in these colonies; but he would recall to his recollection what had happened in New South Wales when it was found impossible to keep troops there on account of the desertion of the men. The right hon. Gentleman (Mr. Labouchere) had complained of the designation of the colony, but if he referred to *Cox's Tour to the Rocky Mountains*, in 1831, he would find that at that time even the country was well known as New Caledonia. In conclusion, he cordially approved of the Bill, and would congratulate the right hon. Baronet on this good commencement of his Colonial administration. He would at the same time point out the desirability of making an alteration in the existing boundary, which had been found to be an inconvenient one. A degree of latitude had been suggested for that purpose, but he thought it better that the course of the river should be adopted.

Mr. ELLICE (Coventry) said, that he entertained no objection to the Bill; on the contrary, he thought it would answer well the purpose for which it was intended. He had no objection to any part of the Bill which gave powers to the Governor. With all his predilections for free institutions, he should not have objected to have extended the period fixed in the Bill for establishing them. He would beg the House, however, not to be led away by any flattering notion of the facilities for colonizing those territories. There were difficulties connected with it which did not exist in the cases of California and Australia. In the first place, not a spade had been struck into the soil on the Frazer River. The country was difficult of access; it contained no provisions, and as the gold mines were situated at the confluence of the Frazer and Thompson Rivers, they were 350 miles from the coast, and the emigrant population would have not only to find the means of transit, but must carry provisions with them for their support by the way, and when they arrived there as well. This country was different from the other gold countries. California was a settled country, rich in corn and other provisions; and in Australia our colonists had prepared

the way for emigrants. He agreed with the hon. and learned Member for Sheffield (Mr. Roebuck), that the Government ought not to establish a colony without having adequate means at hand to keep the peace and protect life and property. They must administer justice. They could not expect that there would be no crime, and how could justice be administered without the Executive being in possession of such a force as was necessary for that purpose? Those were questions of difficulty and importance, and he hoped the House would not be led away by the notion that we were about to establish a colony at the mouth of the Frazer River which could at once support itself. The plan shadowed out by the right hon. Baronet was probably the best that could be adopted at present, and he believed the man most fitted to carry it out was Governor Douglas. The native Indians in Vancouver's Island and the adjacent coast were numerous and tolerably well armed, and they had attacked trading ships on several occasions. Governor Douglas, by his good management, had, however, maintained his colony without any quarrel or dispute with them. But there could be no such management in the interior when the emigrants first went to the gold regions, and it was necessary to make such provision in that respect. He argued that the matter could be left in no better hands than those of Governor Douglas. The advice of the hon. and learned Member for Sheffield, that the instructions to the Governor should be accompanied by certain rules and ordinances, which might be thought necessary by the Government at home to enable him to carry on his administration, was well worth the consideration of the Government. He thought it was very expedient that the Government should in all matters give the most specific details to the Governor, who would have a responsibility cast upon him which would require the support of the Government at home. He ought to be instructed on what terms his proclamation should be issued, and what protection he should hold out to persons going into the interior. With respect to the unfortunate Hudson's Bay Company, he could assure hon. Members that whatever policy was adopted by the House would be accepted by them. No lawyer doubted that the grant of territory to the Company by the Crown was valid. The license to trade was given to the Company to enable them to maintain peace.

They desired no renewal of the license, and it might be withdrawn to-morrow without affecting their position. At the best, it was but a miserable concern, having half a million of capital, on which they divided 10 per cent. They desired only to be treated as the East India Company, and, provided the interests of their shareholders were guarded, they would be only too happy to give their best assistance to carry into effect any policy which might be thought for the general benefit of their territories. His right hon. Friend deemed it practicable to make some arrangement to enable the Company to establish colonies on the Red River, and if he did so he would find none so anxious to promote that object as the Hudson's Bay Company.

MR. CHRISTY said, he wished to congratulate the right hon. Baronet (Sir B. Lytton) on having introduced a Bill which was the first step towards putting an end to the monopoly enjoyed by the Hudson's Bay Company. The territory which the right hon. Baronet now proposed to form into a colony was the subject of discussion in this House ten years ago, when he (Mr. Christy) had the honour to call attention to the impolicy and inexpediency of handing over to that powerful company an island of the importance of Vancouver's Island. On that occasion he was supported by many of the most influential Members of the House, and a very narrow division was taken upon the question. Since that the late Government had had the courage to propose a Committee, which sat last year, to take into consideration the whole subject preparatory to again granting, as he then feared, the exclusive right of trading over this vast territory to the Hudson's Bay Company. But the Bill now before the House, he presumed, would settle that question. That Bill, indeed, was a conclusive commentary on the impolicy of granting such a monopoly, and he believed they might thank the gold discoveries for having interposed and brought this important territory under the direct authority of the Crown. He understood that the exclusive right of the Hudson's Bay Company to trade over the territory would now cease; but he begged to observe that, although Governor Douglas might be exceedingly skilful in managing the Indians, he was in reality the chief factor of the Company, and had the management of the whole of their trading operations; and that Mr. Cowper, in his evidence before the

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Committee, had stated that, instead of governing Vancouver's Island with a view to induce emigrants to settle there, the policy pursued had had the effect of driving emigrants away. He hoped, therefore, that if Governor Douglas were retained in his office under the authority of the Crown, the Colonial Secretary would send him the most specific instructions on this head, and that he should not continue to encourage competition on the part of the Company's officers with the settlers and colonists who might emigrate there. It appeared to be a matter of agreement that the discussion on the main question was to be taken on the Motion of the hon. and learned Gentleman (Mr. Roebuck). If there was to be any discussion it was important that it should take place in the present Session, because the exclusive right to the trade expired in 1859, and it was very important that persons who took a deep interest in the country, as well as the people of Canada, should know what were the intentions of the Government, and what was the feeling of the House as to the renewal of the Company's charter for any lengthened period. With respect to the measure before the House, he certainly thought that in its main features it was a good one. He had some objections, however, to the geographical arrangement proposed, and on a future stage he should move an Amendment with regard to the boundaries of the colony, which he hoped would commend itself to the approval of the Government. He gathered from those men who had been in the territory that the gold which was found in the Frazer River was merely the debris of the gold that existed in the Rocky Mountains, and he therefore thought it desirable that the boundaries of the new colony should be extended further north—up to Finlay's River, and to the main chain of the Rocky Mountains that ran east and west. He was far from thinking that it would not be a judicious arrangement to confine the Hudson's Bay Company to those northern districts which were productive of profit to them. These districts produced fur-bearing animals, and were little suited to settlement and colonization. As the right hon. Baronet had alluded to the construction of a railway, he hoped it would be within his contemplation to propose to Parliament some plan which would have for its object the formation of another colony in the district of the Red River. Unless the Government directed its attention to the subject, the

country would be filled with American settlers, and questions of boundary would arise, which might bring about a repetition of previous difficulties with the United States. He could not help complimenting the Government upon having carried out the views recommended by the Committee which examined this subject last year, and he had to complain that the right hon. Gentlemen who was at the head of the Colonies under the late Administration never informed that Committee of the discovery of gold in this district; though it now appeared, from papers on the table, that the Government was in possession of this information two years ago. They were now told that the amount of gold found there was overrated. That might be so; but, at all events, the subject had very properly attracted the attention of the Government, who now proposed to found a colony in consequence; and he quite agreed with the hon. and learned Member for Sheffield, that this colony could not be founded without sending out an adequate military force.

VISCOUNT SANDON said, that having been a Member of the Committee referred to, he wished to remark that when the license was granted to the Hudson's Bay Company the Government fixed the price of land at £1 per acre. It appeared from the evidence adduced before the Committee that that high price had prevented colonization from being carried on to any great extent. Perhaps the right hon. Baronet (Sir B. Lytton) would take this subject into his consideration when he was establishing a Government for the new colony. It was important that land should be more easily obtainable, so that out of the shifting population who might be attracted to the colony a deposit of good settlers should be left.

MR. LOWE said, he thought that the right hon. Baronet had done quite right to introduce his Bill now. To form a colony without a population was a useless expense, and to allow a colony in which a population had grown up to remain without a Government led to anarchy, misrule, and bloodshed. He was not very sanguine of the success of the new colony (although the right hon. Baronet had taken the right course with regard to its government), because it was certain that the first thing that would happen would be a terrible collision between the whites and the Indians, which it would not be in the power of any Minister to avert. Now, would it be suf-

ficient to send a frigate there, as some had proposed. The place, although very beautiful, was most inaccessible, and it would be necessary to have a larger force for the purpose of enforcing order upon the lawless spirits who would flock to the colony than could be spared from any frigate. He hoped, also, the right hon. Baronet would take the advice of the noble Lord (Viscount Sandon), and at once fix such a price upon the land as would stimulate population. It was the unanimous testimony of all the witnesses who had been examined, that nothing had tended so much to obstruct the settlement of Vancouver's Island as the high price of land. While land could be obtained in Oregon for a dollar and a quarter per acre, in Vancouver's Island the fixed price was £1. Land ought to be obtained in the new colony upon terms at least as favourable as in the neighbouring country. This was one of the settled colonies in which the general principles of the law of England, as laid down in the well known chapter of *Blackstone*, would become the law of the colony. But these general principles were not sufficient for the basis of the law and constitution of the colony. Her Majesty was to be empowered by order in Council to make laws for the government of the colony, or to delegate the power to the Governor for the time being. Would it not be better to follow the precedent adopted with respect to other colonies, and give the colony the fundamental laws under which we lived, merely reserving to Her Majesty the power of passing supplementary laws as they might be found necessary? The provision that so much of the law of England as could be applied to the new colony should be enacted would be perfectly understood by the colonial lawyers, and upon this the Government might erect the requisite superstructure. It would be proper that the boon of the law of England should come to the colony through the Act of Parliament to which it owed its existence rather than by any laws passed by the Governor for the time being? He had submitted those suggestions fully under the conviction that if they were not adopted by the right hon. Gentleman it would be because he had some good reason for not adopting them. In conclusion, it did seem to him a pity that when they had one Caledonia already in Australia, another on an island off the coast of New Holland, and on the east coast of America the colony of Nova Scotia, which, he supposed, meant the same thing,

that there should be so much poverty in their vocabulary that they were obliged to adopt a name that was identical with that of a French colony in the Pacific. He suggested that the right hon. Baronet should hit upon some other name that was not quite so much used up.

MR. WHITE also objected to the name, and suggested that the right hon. Baronet should follow the fashion which had of late years been set by America of adopting the native name. He thought they were bound to perpetuate the aboriginal names in all those districts as much as possible. He would strongly urge upon the right hon. Gentleman, also, the propriety of at once fixing the land tenure, so that every colonist might know from the first what he had to expect. He could speak from experience on this point, for he happened to have been one of the earliest settlers in the colony of Hong Kong, and such was the discontent and heartburning arising from the uncertainty on this matter; that, if the colonists had been near America, they would certainly have prayed to the United States for annexation. He was happy to add that all difficulties now were satisfactorily adjusted; but he begged the House to consider what would be the effect of such disputes when the colony was only divided by a stream from the United States. He hoped, therefore, the Government would give all the settlers there a right of pre-emption to the lands they occupied. He would remind the House that the foundation of a new colony was a grave matter. There were many financial reformers who looked upon every new colony as a new cause of war, and in this case he believed the utmost delicacy and care would be required to prevent this colony from causing jealousies with our neighbours. He was rather surprised that the right hon. Gentleman said so little about Vancouver's Island. He believed the importance of that island could not be overrated. He had heard many Americans say that they would willingly give California in exchange for it; and, looking to its position in the Pacific, its possession of coal, and the importance of that article to the navigation of those seas, giving its possessors a dominant influence over the future of China and Japan, he fully agreed in the importance they attached to it. As to this new colony, if he thought it would be the cause of future disputes with the United States, he would rather be inclined to adopt a proposal which he believed the Americans

Mr. Lowe

would be willing to make—namely, sell it to them outright. He knew such a proposal was very repugnant to British feeling, as descending from that high position which he hoped this country would long maintain. He had only further to urge upon the right hon. Gentleman to make this colony as soon as possible self-supporting, and to adapt its institutions to such a scale of expenditure as the colonists would be willing to pay. For the rest he heartily joined in the aspirations which the right hon. Baronet had expressed for the prosperity of this colony; and such was his confidence in his intentions and his solicitude for its welfare, that if no other name were found for the colony, he hoped gratitude would inspire the colonists themselves to call it the colony of Lytton Bulwer.

MR. CROSSLEY said, he also would urge upon the right hon. Gentleman the inconvenience attending the multiplicity of names. He could mention as a proof of it that a letter posted at Plymouth addressed to his firm in Halifax, and containing a number of bank notes, but without a penny stamp, was sent over to Halifax, in Nova Scotia, though he was happy to say that the letter afterwards came back unopened, and the notes safe. Now if there was so much inconvenience with the names of towns, how much greater would the inconvenience be with the names of large tracts of country. He joined in the hope that this colony would soon become self-sustaining. But at the same time, it must not be forgotten that the Governor must be supported by an armed force. He hoped, also, that the Government would not fix the price of the land higher than it was in the neighbouring states, where the average price was a dollar and a quarter per acre.

MR. C. W. FITZWILLIAM said, he agreed that the price of land ought not to be too high; but he must say, that he had been in Vancouver's Island, and he did not think it was the price of the land so much which retarded the progress of the colony as the baneful influence of the Hudson's Bay Company, who systematically used their influence to drive private traders out of their territories. If a private trader attempted to open a trade with the natives, orders were immediately sent out to the Governor, who was also the chief factor of the Company, to outbid the trader in his dealings, and so drive him out of the country. A curious instance of this occurred while he was in that district. A gentle-

man sent a quantity of cranberries to California, where the fruit was highly prized; but no sooner was this known than the Governor of the district caused all the cranberries of the district to be collected and sent over to California, where they were to be sold at such a price as would drive the private trader out of the market. He agreed with those who thought there should be a survey of the country,—not such a survey as would be deemed necessary in England, but one that would be useful for practical purposes in the existing state of the colony. The right hon. Gentleman the Member for Coventry told the House that there were no settlers and no cultivation where the gold was discovered, and from thence he augured all sorts of evil to the colony. But he did not think the colony would be worse than others in this respect. There was no cultivation where the gold was discovered, either in California or in Australia; and in this colony labour would not be placed at a greater disadvantage than in either of those. The right hon. Gentleman had also spoken in high terms of the value of Mr. Douglas as Governor. Now Mr. Douglas might be the ablest Governor that ever was created; but still he was not fitted in his present capacity for the duties proposed to be entrusted to him, seeing that the post he now held was that of chief agent to the Hudson's Bay Company. For his own part he knew a little of Governor Douglas, and he should say he was a very incompetent man for the post. He had never been accustomed to deal with white men; all his dealings were with Indians, and his idea of law was that might was right. Now that would not do in the new colony. It would not do with Englishmen, far less with many of the men whom they might expect from the western States of America, because they had made the western States too hot to hold them. These men must be treated gently; their hair must not be stroked the wrong way, or else they would give a new reading of the maxim that might was right, for they would certainly show that their power was stronger than any which the Governor might immediately bring to bear against them.

Bill read 2^o, and committed for Monday next.

POLICE FORCE (IRELAND) BILL.
SECOND READING.

Order for Second Reading read.

LORD NAAS: Sir, in rising to move

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the second reading of the Dublin Police Force (Ireland) Bill, I am anxious to take the earliest opportunity, which the forms of the House will allow me, to correct various misapprehensions and misstatements which have been made in regard to the objects and principles of this Bill. I observe that among a large proportion of the population of Dublin this Bill has undergone considerable discussion. It has been discussed both in the corporation and at a public meeting of the inhabitants held a few evenings ago. The objections brought against the Bill at both of these meetings are utterly untenable and entirely without foundation; and if the House will give me their attention for a few minutes I shall show that these objections are founded on a misunderstanding of the Bill. Now, it has been objected to for many reasons. It has been said that this Bill will not remove or diminish the taxation of the rate-payers of Ireland; and in the observations I have to address to the House I shall divide my explanations entirely into the operations of the Bill as it affects Dublin, for I believe that in the western parts of the country, both in Belfast and in other parts of Ireland,—the proposed Bill is very well received and universally approved of; but in Dublin it had been said that this Bill will not in reality diminish the local burdens. It has also been said that the proposed new police force will be insufficient for the preservation of the peace in the present increased population of the town. It has been further asserted that the constabulary force will suffer from this amalgamation; and that unless the City of Dublin should be placed precisely in the same position in this respect as the counties of Ireland, the constabulary would suffer; and, lastly, it has been attempted to impute sectarian motives to the promoters of this Bill. Now, upon all these points, misconceptions, and misstatements, I am in a position to satisfy the House that these objections do not in reality exist. I will first address myself to the financial part of the proposition. I observe that even after the statements that I made to the House the other night, when I thought I showed satisfactorily to the House that a very considerable diminution of expense would occur in connection with the local burdens, it has still been stated that nothing of the kind will be effected. I will, therefore, now ask the House for a few minutes to give me its attention while I state, as briefly as I can, what will really be the financial effect of the measure I propose. The present expense of the

Government of New

{JULY 19, 1858}

Caledonia Bill.

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GOVERNMENT OF NEW CALEDONIA
BILL.
COMMITTEE.

Order for Committee read.

House in Committee.

Clause 1.

MR. GLADSTONE said, he rose, not to trouble the House with any formal Motion, but to state some objections to the structure of the Bill, and upon a matter of principle to which he attached great importance. This measure constituted a Royal Government in New Caledonia without free institutions, and then provided that at a future period Her Majesty might, if she thought fit, establish such institutions in the colony. There were two opposite ideas as to the proper mode of founding colonies from this country, one of which was true and the other false. The true mode was that which was historically the oldest. It was that upon which our earliest colonies were established, and which was only abandoned when exceptional circumstances began to mark the origin of our Colonies—when they were founded for the purpose of receiving, not free colonists, but convicts. It was natural enough that in such colonies there should be an absolute Government; but, unfortunately, having taken to this defective principle in deference to necessity, we extended it to cases in which it had no application, and, instead of limiting it to penal colonies, made it a model and founded all our Colonies upon that rule.

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Hence grow up a miserable spawn of most mischievous opinions with regard to our colonial policy generally. The opinion prevailed that as it was natural, or at least useful, for a child to be carried in the arms of a nurse for twelve months, so it was natural for a colony to be dandled for a term of years in the arms of the Imperial Government, in order that it might, by a process which was called education, be fitted for freedom; the fact being, on the contrary, that the longer you applied a government of that sort to a society of free men the more you unfitted them for freedom. He had hoped that the controversies of the last twenty-five years, and the Bill passed by the present First Lord of the Admiralty in 1852 for the government of New Zealand, had exploded these fallacies; and he was sanguine enough to believe that the next time we dealt with a colony of free settlers by Act of Parliament we should, like our ancestors in the seventeenth and even in the eighteenth century, recognize it as a free and self-governing society. He regretted that in this instance that mode of procedure had been departed from, and that this Bill began by establishing a society which was not free, and then provided that at a future period free institutions might, if it was thought fit, be introduced into it. He wished the Government could be prevailed upon to embody in this Bill the principle that we were about to establish a free society. It might be said that in this colony of New Caledonia we should have a mixed and promiscuous population, of irregular habits, uncertain objects, and various origin, and that on that account it would not be right that the colony should be founded with free institutions at the outset. He was sceptical with regard to the gist of that argument, because he was afraid that if it was difficult to maintain the public peace in this new colony, if there was likely to be a considerable charge attending its foundation, the evils would be greatly aggravated by placing the responsibility in the hands of the Executive Government, especially when we considered the enormous distance at which they were to wield their powers. At the same time he was prepared to repose confidence in the Executive Government upon that subject, and to throw upon them the responsibility of suspending, if they thought fit, the establishment of free institutions. But he wanted that that should be done in deference to a distinct necessity, of which the Executive Govern-

Mr. Gladstone

ment were to be constituted the judges, and with respect to which Parliament should hold them responsible, and require them hereafter to show for every year and every month during which free institutions were not established that there was an absolute necessity for postponing them strictly connected with the exceptional circumstances of the colony itself. If, therefore, the Government had chosen to frame their Bill in such a way that it should begin with the establishment of free institutions in principle, and should then grant to the Crown a special discretion, strictly limited to peculiar circumstances and a sufficient cause, of suspending their action, he, for one, would not have objected; but that was not a course which had been adopted. Anybody who read this Bill, knowing nothing of our colonial history, would suppose that it really expressed our normal ideas with respect to the foundation of a colony, and that our notion was that a colony should be founded as a community unfit for freedom. Moreover, the power given to Her Majesty to establish free institutions was expressed in a manner so vague that it did not imply any special duty in the Crown or the Minister to give an early development to freedom. He could not help expressing regret at the form in which this Bill had been conceived and framed. Although for a length of time we had been steadily advancing with regard to our colonial policy, and although the public mind at home had arrived at something like a general settlement as to the true principles by which it ought to be regulated, now, when an Act of Parliament was to be passed recording our present ideas, it was one which, instead of carrying them forward, actually appeared to carry them backward.

Mr. LABOUCHERE said, he fully agreed in the general principle laid down by the right hon. Gentleman. He believed that the practice of allowing a colony to start with free institutions and grow up with them was the best means of insuring its prosperity. When in office he had acted on that principle in the case of Vancouver's Island. There was at that time so small a population that free institutions were but a name, but he thought that as population increased that name would become a reality. It was doubtless not necessary to remind the right hon. Gentleman that an Act of Parliament was not necessary for the establishment of free institutions in our Colonies. By the common

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Government of New

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law of England, an Englishman carried the constitution with him everywhere, and the constitution existed in every colony. The three estates were represented—the Crown by the governor, the Commons by an elective body, and the Lords by a nominated council, and that form of government he believed to be the best. But really, under circumstances so very peculiar as those of the colony of New Caledonia, they must not shut their eyes to the dangers that would arise from giving free institutions at once. The main attraction was the gold, which was about 300 miles from the coast. The population, which would there be established at a distance from all communication, would be the outpourings of California itself, not a very regular society. Not long ago free institutions had to be suspended in California, and it was only by a sort of Lynch law that any sort of order was maintained. There was also great danger of conflicts with Indian tribes, which were used to find their rights respected, and the settlers would not be of a class likely to respect those rights. The colonial government of England had been often blamed, but most unjustly, for he questioned if any other country in the world ever had a better system. In the colony of Victoria, peace and order prevailed, whereas, in California, under a Republican form of Government, the Executive was almost powerless and in such a state that Lynch law had to be established. A comparison, therefore, between that State and Victoria, where, under our more liberal system, there was very little disturbance, and that little speedily quelled, they would afford a strong argument in favour of our old-fashioned colonial institutions. With regard to the frame of the Bill itself, he thought great credit was due to the Government. They had provided wisely for times of emergency and he should feel it his duty to give them his support. He wished, however, to draw the right hon. Gentleman's attention to the third clause, which purported to give Her Majesty in Council power to establish any constitution which she might think fit in New Caledonia. Now it was one thing to give the Queen, under special circumstances, power to establish something like an arbitrary government there; it was altogether another thing to give the Queen in Council power to establish any constitution she might think fit. As he read the clause it appeared to give the Queen in Council power to establish institutions, which should be

permanent institutions, for the colony, by order in Council, without coming to this House. That, he thought, would be most objectionable. He thought it ought to be either the old constitutional form, or one which should be submitted to Parliament and approved by them.

MR. ROEBUCK said, he thought that a mistaken notion was entertained respecting the peculiar power of the Crown. The Crown had authority by charter to give what power it pleased with respect to government, so that, in fact, the Crown, without the aid of any Act of Parliament, could give any institutions it pleased to the colony. That could be shown by past history. He might take the cases of Maryland and Rhode Island, in the latter of which there was one Council, and in the other two Councils, while in Carolina a complicated system of government laid down by Locke was established by charter, but afterwards abandoned. The present Bill would expire in four years, and therefore the Colonial Secretary would be bound to provide for the expiration of the Bill. It was probable that by that time New Caledonia would contain a large population. In 1849 he proposed to frame a Bill with the view of laying down general principles as a guidance in respect to colonial government. That proposition was rejected by the House, but he thought that they would have done well to lay down some general principles beforehand. In the present Bill there was nothing that might not be done without it, and he therefore thought that the House was spending time to no purpose in discussing it. The Bill stated that certain institutions might be given to the colony, but he conceived that it would have been better to make it imperative that at the end of three years representative institutions should be given, so that nothing might be left to the Colonial Office. Not having done that, the Bill did nothing. It would be much better to give the colony free institutions to-morrow than to leave a doubt as to when it should have them. The right hon. Gentleman (Mr. Labouchere) was under a mistake when he drew a comparison between California and Victoria. California had a peculiar population drawn from all parts of the world. The whole ragamuffin population of the whole universe went there; and, notwithstanding that, if the right hon. Gentleman turned his attention to the constitution they drew up for themselves he would be struck with its great wisdom. It was a model constitu-

tion, and the only difficulty consisted in the population. There would be the same population in New Caledonia,—quite as bad, if not worse,—and he would warn the Government to be prepared with a stringent force to coerce the population there, and then to be prepared, also, with a constitution for their government.

SIR BULWER LYTTON said, that whatever fell from the right hon. Member for Oxford University was deserving of consideration, and he was glad the right hon. Gentleman had had an opportunity of expressing his views on this subject. It would, however, have been a fairer course to have done so on the second reading of the Bill, or at any rate to have given an earlier intimation of the important alteration he had suggested, for the present was not an optional experiment in colonial legislation. The intelligence received from the colony of New Caledonia was such as to leave the Ministry no choice but to endeavour to establish, as soon as possible, a Government for a district which was threatened with great danger, and which, up to this moment, had no legal Government at all. The necessity for this measure manifested itself in a few days after he acceded to office; and his anxious desire, seeing the great perils which surrounded the district, had been to frame a measure that should pass as rapidly as possible, and conciliate all opposition. Well, the Bill he brought in was supported by hon. Gentlemen of great weight in the House, who had taken much interest in the foundation of the colony. It went through a first reading with the general approval of all the hon. Gentlemen who spoke; passed a second reading with equal unanimity; in Committee received one or two verbal alterations only; and would have been read a third time had it not been recommitted to allow the right hon. Gentleman to express his opinion upon this clause. After the Bill had gone through so many of its stages with indulgent favour, the House could hardly go back and accept a proposition that would entirely change its complexion and character, and reverse the provisions which had been so unanimously agreed to. Their first object must necessarily be to give all the power they could to the only authority at present in the colony—the Governor; but if he were to accept the proposition of the right hon. Gentleman, the consequences would be that the Governor would not have the same power that he had under this Bill. Con-

Mr. Roebuck

sidering the great uncertainty which prevailed with regard to this colony, the next consideration was to make the Bill as pliant as possible to meet all the necessities of circumstances which we could not perceive. The right hon. Gentleman opposite (Mr. Labouchere) objected to the third clause. Now, it certainly was the object of the Government that the colony should receive representative institutions within four years, if there were materials for creating them in the colony. Supposing, however, a settled population were rapidly formed, the Government might then be advised to constitute an elective chamber or council, and by Order in Council it could at once be established. He felt the force of what the hon. and learned Member for Sheffield had said with respect to the importance of maintaining a sufficient military force in New Caledonia, but that force must necessarily be to some extent limited by the accommodation and the provisions which could be procured for the troops, and under such circumstances he thought it was of more importance that that force should be efficient than that it should be large. He should have some observations to make on this subject at a subsequent period, but he hoped that as the Bill had been so far favourably received, the House would give a further assent to the measure by allowing it to pass through Committee.

MR. ROEBUCK said, an hon. Gentleman had asked the other night what the colony would cost. In his opinion it ought to cost nothing, and he believed that if certain portions of the colony were surveyed, if a site were selected for a town near the gold diggings, if town and country lots were planned, and if they were offered for sale in London, a sufficient amount would speedily be obtained for the maintenance of the colony.

Clause 1 *agreed to.*

Clause 2.

In reply to a question from Mr. BUTT,

THE SOLICITOR GENERAL said, the Bill provided that the laws established by the authority of the Queen should continue in force for a period of four years; but if free institutions were established, it would be in the power of the colonial assembly to alter, amend, or abrogate any laws which might have been established by the Royal authority.

Clause *agreed to.*

Clause 3.

MR. LABOUCHERE said, he wished to know whether he understood this clause

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aright, that it gave to the Crown the power of establishing any constitution it might think proper without the sanction of Parliament. If so, he thought it was a novelty and one of a very unconstitutional kind. He quite understood and approved of the arbitrary Government, if he might so call it, which this Bill established in the first instance, but the Crown could establish no other. By the common law every Englishman carried with him to the most distant colonies the representation of our own constitution, and nothing short of that could be established except under the authority of Parliament. He thought the clause should be struck out.

THE SOLICITOR GENERAL reminded the right hon. Gentleman that this Bill established in the first instance, as he said, an arbitrary Government, and what this clause contemplated was an abrogation or relaxation of those arbitrary powers. But the short answer was, that all that was done under this Act would be liable to be revised and reconsidered when it came to expire four years hence.

MR. ROEBUCK contended that, supposing this clause were struck out, the Queen would still have the power to give a constitution by charter, and without coming to Parliament, and in proof he referred to the constitution of Rhode Island, which was constituted by Charles II, with only one legislative chamber. He was not aware that either Act of Parliament or custom had since taken away the right of the Crown, which had been exercised so lately as the settlement of the colony of Georgia, the last of the American colonies that was planted by this country.

LORD JOHN RUSSELL was understood to say, that the Crown certainly might grant a charter and appoint a Governor and Council, but the power of taxation should come from the people to be in accordance with the constitution of this country. After four years, if necessary, Government might come to Parliament to establish any other constitution which the Governor and Assembly might agree to recommend.

THE SOLICITOR GENERAL said, it was quite impossible, after the expiration of four years, to establish a constitution under this Act, as powers were given only during the continuance of the Act, the Crown could grant any form of government which it thought fit by charter, but it could not grant the power of taxation by charter. This Bill was framed upon the Acts relat-

ing to West Australia and other colonies, in which, under the same words, the right of taxation was conferred. It was one of the reasons why the Government came to Parliament; but there was another reason which seemed to have been overlooked by the hon. and learned Member for Sheffield—namely, that at present Canada possessed certain jurisdiction which would clash with the jurisdiction given by this Bill.

Clause agreed to, as were the remaining clauses.

Preamble agreed to.

House resumed.

Bill reported, without amendment; to be read 3^d To-morrow.

CIVIL BILLS, ETC. (IRELAND), ACT AMENDMENT BILL.

COMMITTEE.

Order for Committee read. House in Committee.

Clause 1 agreed to.

Clause 2.

MR. J. D. FITZGERALD said, he wished to move an Amendment, the effect of which was to prevent assistant barristers being removed by an Order in Council. Superior Judges could be only removed by an Address from both Houses of Parliament, and he proposed to place the inferior Judges in the same position.

THE CHAIRMAN said, that the Amendment was out of order. They were dealing not with the superior Judges, but the assistant barristers.

MR. J. D. FITZGERALD said, he would, of course, take the law from the Chairman.

MR. BERNAL OSBORNE said, he wished to know what was meant by the words "permanent infirmity."

MR. WHITESIDE said, that the Act provided a retiring allowance to assistant barristers in the case of permanent infirmity; and the meaning of these words was incapacity to discharge the duties of the office personally. The phrase occurred in an existing Act; but he would alter the clause, so as to give the Lord Chancellor the power of certifying to the Privy Council that an assistant barrister was incompetent to perform his duties on account of a permanent infirmity; and to make the Lord Lieutenant in Council, after hearing counsel for the barrister, to decide on the question of his removal.

MR. BRADY said, that he still feared that there might be vague and uncertain